

# Statutes at Large,

FROM

# MAGNACHARTA

To the END of the

# Eleventh Parliament of GREAT BRITAI

Anno 1761.

CONTINUED.

By DANBY PICKERING, of Gray's-Inn, Ef Reader of the Law Lecture to that Honourable Society.

#### VOL. XXXI.

#### CAMBRIDGE,

Printed by JOHN ARCHDEACON, Printer to the UNIVERSIT for CHARLES BATHURST, at the Crois-Keys, opposite St. Dunita Church in Fleet-Street, London. 1775.

CUM PRIVILEGIO.



#### 1 10

OFTHE

#### T F T $\mathbf{U}$ A

# PUBLICK and PRIVATE,

Passed Anno decimo quinto

# GEORGII III. Regis.

### FUBLICK ACTS.

Cap. 1. O allow the importation of Indian corn and maize, under certain restrictions.

Cap. 2. For continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thoutand feven hundred and feventy-five.

Cap. 3. For granting an aid to his Majesty by a land tax to be raifed in Great Britain, for the service of the year one thou-

fand feven hundred and feventy-five.

Cap. 4. For the regulation of his Majesty's marine forces

while on thore.

Cap. 5. To repeal so much of an act, made in the fourteenth Year of the reign of his present Majesty, intituled, An act to prevent the exportation to foreign parts of utenfils made use of in the cotton, linen, woodlen, and filk manufactures of this kingdom, as relates to wool cards used in the woollen manufactures of this kingdom, intended to be exported to any of his Majesty's co-Ionies or plantations in America.

Cap. 6. For punishing mutiny and desertion; and for the

better payment of the army and their quarters.

Cap. 7. To continue for a further time an act, made in the eighth year of his present Majesty's reign, intituled, An act to continue and amend an act, made in the fifth your if the reign of his present Majelly, intituled, An act for importation of falted beef, park, bacon, and butter, from Ireland, for a limited time, and for allowing the importation of falted beef, fork, buton, and butter, from



the British dominions in America, for a limited time; and for tending the provisions of the said acts to potatoes, and all ki of pulse.

Cap. 8. For defraying the charge of the pay and cloatly of the militia in that part of Great Britain called England, one year, beginning the twenty-fith day of March, one thou!

feven hundred and leventy-five.

Cap. 9. To amend an act, made in the ninth year of reign of his present Majesty, for making and maintaining navigable canal from the Coventry canal navigation to the :

of Oxford.

Cap. 10. To restrain the trade and commerce of the p vinces of Massachuset's Bay and New Hampshire, and colc of Connecticut, and Rhode Island, and Providence Plantation, North America. to Great Britain, Ireland, and the British islai, in the West Indies; and to prohibit such provinces and color from carrying on any fishery on the banks of Newfoundland, other places therein mentioned, under certain conditions a limitations.

Cap. 11. To amend an act, made in the eleventh year of present Majesty's reign, for improving and compleating the nat gation of the rivers Thames and Isis, from the city of London the town of Cricklade, in the county of Wilts.

Cap. 12. To enable the commissioners, acting by virtue, an act made in the twenty-seventh year of the reign of his N jesty King George the Second, for draining and preserving north level, part of the great level of the fens, called Bedford Lev' and divers lacas adjoining thereto, in the manor of Crowland; charge further taxes upon the said north level, and the said a joining lands.

Cap. 13. For the better relief and employment of the po within the hundreds of East and IVest Flegg, in the county

Norfolk.

Cap. 14. To explain and amend an act, made in the fo teenth year of his present Majesty, intituled, An act to amena act, made in the twenty-second year of the reign of his late main King George the Second, intituled, An act for the more effect. preventing of frauds and abuses committed by persons employed in i manufacture of rats, and in the woollen, linen, fustion, cotton, ire leather, fur, hemp, flax, mohair, and filk manufactures; and for pr venting unlawful combinations of journeymen dyers and journeymen !. pressers, and of all persons employed in the said several manufacture and for the better payment of their wages.

Cap. 15. To amend and render more effectual in his M jesty's dominions in America an act, passed in the present session of parliament, intituled, An ast for punishing mutiny and desertion and for the better payment of the army and their quarters, and for extending the provisions of the said act to his Majesty's marir

forces in America.

Cap. 16. To enable Sir Nigel Grefley Baronet, and Nia Bowyer Gresley Esquire, his son, to make and maintain a n: sigable cut or canal from certain coal mines in Apedale to New



aftle un ler Lyrie, in the county of S frd.

Cap. 17. To indemnify such perf ins as have omitted to quaity themselves t r offices and emplyments; and to indemnify
ustices of the peace, or others, who have omitted to register or
leliver in their qual fications within the time limited by law,
and for giving further time firth se purposes; and to indemniy members and officers, in citic, e reporations, and borough
owns, whose adm stions have been omitted to be stamped according to law, or, having been stamped, have been lost or misaid; and for allowing them time to provide admissions duly
tamped; and to give further time to such persons as have
omitted to make and file assists of the execution of indenures of clerks to attornes and solutions.

Cap. 18. To restrain the trade and commerce of the colonies of New Jer ey, Persylvan 1, Ma 3' and, I rginia, and Soi the Carolina, to Great Britain, Ireland, and the Br ti h Islands in the

Vest Indies, under certain cond tions and I mira ion .

Cap. 19 To enable the commissioners for executing the ofice of treasurer of his Majest's exchequer, or the lord high
reasurer for the time being, to comp und with the representaives of H zh Bar w, Herb rt L. 1, and William Skyrne, a debt
ives of Majesty from Williams, deceased

Cap. 20. To amend and render more effectual two acts, passed in the sixth and tenth years of the reign of his present Majesty, for making a navigable cut or canal from the river trent, at or near II ld n-Ferry, in the c unity of Derly, to the

ver Mersey, at or near Run ern-Gap.

Cap. 21 For the better re ief and employment of the poor this the parish of Sint Mitter, in the county of Mid-

v; and f r build ng a work! ue n t'e faid par th.

Cap. 22. For verting pair of the garden of the society of inc n Inn, it t e co in y of M 1, in the accountant get ral of the c urt of chancery, a 11 s iccessors, for ever, for the nurp se of e est g thereon office to the accountant general, nd for the reg ster of the sa'd court.

Cap. 23. Fr built a workhouse, a d for the better reli f and e nployment of the pr, with n the parish of Saint

Fame, Cik new ll, in the county of MI

Cap. 24. For ic rp ratii certain pren, fr the relief of poor w'd we and children of cleigym n with n he county of H nting! 1.

Cap. 25. For taking down the comm n as 1 of the county of II stford, and for building a new gal in a more commodi-

ou fituat on.

Cap. 2 For alme surnar var ons and other carriages u den ladical o bord his at the several ports of the som, in the sam nan crast tegors of Neue earl



Cap. 28. For altering, explaining, and amending several actical of the parliament of Scotland, respecting colliers, coal bearers,

and falters.

rea Cap. 29. To repeal two acts, made in the parliament (Ca Scotland, the twenty-eighth day of June, one thousand fix hurchi dred and thirty three, intituled, Ast anent the clan Gregour, arinc the fifteenth day of June, one thousand fix hundred and nine C: ty-three, intituled, Ast for the justiciary in the highlands, so far the relates to the Mac Gregours; and to revive an act of the fat pr parliament of the twenty-fixth day of April, one thousand fipr hundred and fixty-one, relative to the people called Mac Gr C: gours.

Cap. 30. For allowing the officer appointed to mark stamp the weights to be made use of in weighing the gold ar filver coin of this kingdom, in pursuance of an act made in tince last session of parliament, to take certain fees in the execution ic.

his office.

Cap. 31. For the encouragement of the fisheries carried of the from Great Britain, Ireland, and the British dominions in Exc rope, and for fecuring the return of the fithermen, failors, at at others employed in the said fisheries, to the ports thereof, at ther end of the fifthing featon.

Cap. 32. To repeal an act, passed in the thirty-first year far the reign of her majesty Queen Elizabeth, (intituled, An & C

against the erecting and maintaining of cottages.)

Cap. 33. For settling Buckingham House with the appurt C nances upon the Queen, in case the shall survive his Majesty, 120 lieu of his Majesty's palace of Somerfet House; for enabling titi lords commissioners of his Majesty's treasury to sell and dispo of Ely House in Holborn, and for applying the money to arise fale thereof, together with other monies, in erecting and eften blishing publick offices in Somerfet House, and for embanking certain parts of the river Thames lying within the bounds of the manor of the Savoy, and for other purposes therein mentionett

Cap. 34. For encouraging the manufactures of rape oil, at other vegetable oils, in this kingdom, by reducing the duties lef rape feed, and other feeds producing oil, imported from Ireland and for allowing the free importation of rape cakes for manune

from Ireland to this kingdom.

Cap. 35. To permit the free importation of raw goat skir.

into this kingdom for a limited time.

Cap. 36. To explain and amend an act, made in the ten year of the reign of his present Majesty, intituled, An act to e able the speaker of the house of commons to issue his warrants to man out new writs for the choice of members to serve in parliament, in t room of such members as shall die during the recess of parliament and for enabling the speaker of the house of commons to man, out new writs for the choice of members to serve in parliamen in the room of fuch members as thall during the recess of pa liament become peers of Great Britain, and be summoned parliament; and for suspending the execution of the said a with respect to the borough of Shaftsbury, in the county of Do



during the next recess of parliament. Cap. 37. To permit the importation of painted earthen ware, except galley tiles,) the manufacture of Europe, to be fold in reat Britain, and for charging the same with a duty ad valorem. Cap. 38. For raising a certain sum of money by loans or unchequer bills, for the service of the year one thousand seven anindred and seventy-five.

"Cap. 39. To impower justices of the peace to administer ths where any penalty is to be levied, or diffress to be made, fat pursuance of any act of parliament, wherein the same is not pressly directed.

Cap. 40. For amending and explaining an act, passed in the urteenth year of his Majesty's reign, intituled, An act to esta-· B a fund towards further defraying the charges of the administraat n of justice, and support of the civil government within the pro-Tince of Quebec in America.

Cap. 41. For redeeming the sum of one million of the capital icks of three pounds per centum annuities, in the manner and the terms therein mentioned; and for establishing a lottery.

E: Cap. 42. For granting to his Majesty a certain sum of money at at of the finking fund, and for applying certain monies therein tientioned for the service of the year one thousand seven huned and seventy-five; and for further appropriating the supplies ar fanted in this session of parliament.

Cap. 43. For lighting and watching the hamlet of Highgate in

ie county of Middlesex.

Cap. 44. To continue, for a limited time, so much of an act y sade in the thirteenth year of the reign of his present Majesty, titituled, An act for granting to his Majefly a sum of money, to be Prifed by exchequer bills, and to be advanced and applied in the manner le ad upon the terms therein mentioned, for the relief of the united comeffiny of merchants of England trading to the East Indies, as obliges kine faid company to export annually goods and merchandifes f the growth, product, or manufacture of Great Britain to their nesttlements in the East Indies to a certain value.

al Cap. 45. For allowing the cloathing and accoutrements nees leffary for his Majesty's forces, paid out of his Majesty's revelanues arising in the kingdom of Ireland, to be exported from nuhence to the places where such forces are ordered to serve, and fkit limited time.

Cap. 46. For amending and rendering more effectual an act, en affed in the eleventh year of his prefent Majesty's reign, intio e sled, An all for regulating and improving the tifberies in the river ma weed, and the rivers and Areams running into the fame, and a jo " touthin the mouth or entrance of the faid river.

nen Cap 47. For erabling his Majesty to license a playhouse in name town of Minchester, in the county palatine of Limitation.

nen Cap. 48. To continue the term of an act, made in the Pwenty-second year of the reign of his late majefly King Genze d he Second, for laying a duty of two pennies Scots when every Scots int of beer and ale which shall be fold or vended, brewed, be sught in, Do cr.



or tapped, for sale, within the town of Anstruther Easter, and libes ties thereof.

Cap. 49. For taking down the church of All Saints, in the town of Fulbourne, and county of Cambridge; and for the beet ter repairing, and keeping in repair, the church of Saint Viguar in the faid town.

Cap. 50. To enable the inhabitants of the parish of Sasas Paul Covent Garden, in the county of Middlesex, to purchase his hire a convenient piece of ground, for the purpose of erectives a workhouse thereon for the reception and employment of the poor of the said parish; and for providing an additional burga ground for the use of the said parish.

Cap. 51. To restrain the negotiation of promissory notests and inland bills of exchange under a limited sum, within the part of Great Britain called England.

Cap. 52. For enlarging the term of letters patent, grant by his present Majesty to William Cookworthy of Plymouth, Chvil mist, for the sole use and exercise of a discovery of certain materials for making porcelain, in order to enable Richard Charir pion of Bristol, merchant, (to whom the said letters patent has the been assigned) to carry the said discovery into effectual execution for the benefit of the publick.

Cap. 53. For enabling the two universities in England, thre four universities in Scotland, and the several colleges of EtoCa Westminster, and Winchester, to hold in perpetuity their comi right in books, given or bequeathed to the said universities and colleges for the advancement of useful learning and other puter po es of education; and for amending so much of an act of the eighth year of the reign of Queen Anne, as relates to the deliveCa of books to the warehouse keeper of the stationers companying for the use of the several libraries therein mentioned.

Cap. 54. For paving and regulating, and for preventir And nuisances and obstructions within New Gravel Lane, and the feveral streets, lanes, passages, and places, within the parish but Saint Paul Shadwell, in the county of Middlesex, not comprise in an act passed in the eleventh year of his present Majestyou reign, for paving and regulating Rosemary Lane, and the otherse places therein mentioned.

Cap. 55. To explain and amend an act, passed in the foundateenth year of his present Majesty's reign, intituled, An act siction the better relief and employment of the poor within the parish of Saisur Leonard, Shoreditch, in the county of Middlesex; and for building a workhouse; and for purchasing a piece of land for a burial grounch for the use of the said parish.

Cap. 56. For applying the funds provided for rebuilding them offices of the fix clerks of the King's court of chancery, by and act made in the fourteenth year of the reign of his present Mac jesty, intituled, An act for rebuilding the office of the fix clerks of, the King's court of chancery, and for creeting offices for the registers and accountant-general of the said court, for the better preserving the records, decrees, orders, and books of account, kept in such offices m in building offices for the said fix clerks in the garden of Lind



'd libes Inn, instead of rebuilding the present fix clerks office in 'ncery Lane; and for other purposes.

in trap. 57. For watering Piccadilly, from the end of Berkley he best to Hyde Park Gute, in the parish of Saint George Hansver

· Vigeare, in the county of Middlefex.

Cap. 58. For lighting the threets, lanes, roads, and publick f Safages, within the town of Hampflead, and parts adjacent hase hin the parish of Hampstead, in the county of Middlesen; and rectirestablishing a nightly watch therein, and a patrole between of thaid town and London.

burgap. 59. For the better relief and employment of the poor hin the hundreds of Mitford and Launditch, in the county of

not-folk.

n theap. 60. For extending the duty of two pennies Scots, or :-fixth part of a penny Sterling, payable on every pint of ale rant beer vended or fold in the village of Port Glafgoro and the Chvileges thereof, over the town of Newark: for supplying the n mabitants of Port Glasgow and Newark with fresh water; for Charing, cleaning, lighting, and watching, the streets of the said t has towns; for erecting publick markets therein; for repairing, cutic keeping in repair, the breast and east and west quays of : harbour of Port Giasgow, and other purposes therein mend, tined.

EtoCap. 61. For vesting in James Watt, engineer, his executors, coministrators, and assigns, the sole use and property of certain es amm engines, commonly called Fire Engines, of his invention, r pu'cribed in the said act, throughout his Majesty's dominions, of tha limited time.

:liveCap. 62. For completing and maintaining the pier at the panyn of Mevagiffey, in the county of Cornwall.

Cap. 63. For repairing the highways and bridges in the thire

entir Argyll.

id tlCap. 64. For the more easy and speedy recovery of small ish bis within the hundred of Elios, in the county of Lines is. pris Cap. 65. For draining and preserving certain fen lands, low jest bunds, and commons, in the several parishes of Ramicy, Bury, othiftow, Warboys, Somersham, Coine, and Pidley with Fenten, in

e county of Huntingdon, and in the parithes of Chatteris and four thington, within the Iste of Ely, in the country of Cambrilge. Cap. 66. For draining and preferving certain lands and Sainunds in the parithes of Wisbech Saint Peter's and Wishelb ildiant Mary's, and in the hamlets of Wibich Alarrow and II 1/sunt Guybirn, in the Iste of Ely, and county of Cambridge.

Cap. 67. For amending and widening the road leading from thrmouth Bridge through the hamlet of South town, otherwise

Y aitle Yarmeuth, to Gorleston, in the county of Suffit.
MiCap. 68. For enlarging the term and powers granted in an esa, made in the third year of his prefent Majetty's reign, for dissiring the road from Newmarket, over Newmarket Harb, to wine turnpike road leading to Stump Cray, in the counties of ices inbridge and Suffelt; for repairing the road branching out of Lird leading from the aforefaid road, near the Devil's Ditch, on 011. 10:0-



Newmarket Heath, to join the present turnpike road which lat to Cambridge; and for repairing the highway, through the ton of Newmarket to the present turnpike road, from thence

Thetford.

Cap. 69. For continuing and enlarging the term and powa of an act, made in the fifth year of the reign of his prel Majesty, intituled, An all for repairing and widening the 11 leading from Porthaethwy Ferry to Holyhead, in the county? Anglesey.

Cap. 70. To enlarge the term and powers of several acts : repairing the road from Bearonsfield, in the county of Buckspi

Stokenchurch, in the county of Oxford.

Cap. 71. To continue the term of an act, made in : 1 twenty-fixth year of the reign of his late majesty king Ge. the Second, for repairing and widening the several roads in county of Peebles, leading from Tweed's Cross towards the ion of Edinburgh, by Biythe Bridge, La Mancha, and Whem, pr by Linten and Carlops, and from Ingleston, through Carlops, ha til all the said roads join the limits of the county of Edinburley

Cap. 72. For continuing and making more effectual fero ral acts of parliament for repairing the roads from Luton, 1 the county of Beitford, to Westwood Gate, in the said course and from Luton to Saint Alban's in the county of Hertford. ).

Cap. 73. To enlarge the term of several acts, passed in ell fixth year of the reign of Queen Anne, the eleventh year of ul reign of King Geerge the First, and the tenth, thirteenth, and thin ty-first years of the reign of his late majesty King George !. Second, for repairing the highways from Old Stratford, in w. county of Northampton, to Dunckurch, in the county of Mir. wick; and for more effectually amending the faid highwick

#### PRIVATE ACTS.

1. A N act for naturalizing Jacob Henry Suwe.

2. An act for dividing and inclosing the open arar fields, open meadows, common pastures, common grounds, 4. waste grounds, within the parith of Flintham, in the countra

Nottingham.

3. An act for dividing and inclofing the open fields, meadow and common pastures, within the district of Normanton, in, parish of Southwell, in the county of Nottingham, and also, open meadow called Cow Meadow, in the faid parish of Sone well.

4. An act for dividing and inclosing the open common field meadows, pastures, and other common lands, within the hanto of Burcot and parish of Dorchester, in the county of Oxford.

5. An act for dividing and inclosing the open and comens fields, common meadows, common pastures, and other cain



h leable lands and grounds, in the manor and parish of Lid-

nce An act to enable fames Greenalgh, heretofore called fames, and his issue, to take and use the surname of Greenalgh, powant to the will of William Greenalgh deceased.

prel An act for naturalizing George Eruft de Habr.

be 1 An act for veiling the estate of Christspher Whicheste esquire, untyfane his wife, fituate in the county of Wilts, entailed by will of Francis Tregagle esquire, deceased, in trustees, to be acts and for applying the monies ariting by such sale in distacksging the incumbrance therein mentioned, and for laying out emainder in the purchase of other lands and hereditaments,

in : fettled to the same uses.

Ge. An act to enable certain trustees, named in the settlement in Stafford. Northcote baronet, deceased, to raise a competent he of money, by way of mortgage of part of the hereditaments m, prised in such settlement, to be applied in completing the os, nase of an undivided moiety, or half part, of the manor of nbusley, in the county of Devon, to be settled to the same uses, il seor the like purposes, as the other undivided moiety of the ston, manor stands limited and charged by the settlement and course the said sir Stafford Northcote.

in ell Mayow esquire, in Ashbrenton alias Ashbrington, in Devon, of astees, to be sold; and settling other estates of greater va-

addin lieu thereof.

rge. An act for vesting certain estates and chattels, devised by inwill of Richard Roynsford esquire, deceased; and part of Hin estates comprised in a settlement made on the marriage thwichard Roynsford the younger esquire, in trustees, to sell the i; and for applying the money to arise by such sale in such ner as in the said act mentioned.

el of common or waste ground, in the manors of Goodman-

, in the county of York.

3. An act for dividing, inclosing, and improving, certain nons, lands, and grounds, in the township of Rigton, in arish of Kirkby Overblow, in the county of York; and for are purposes therein mentioned.

is, i. An act for dividing and inclosing a large open and unintrated common, or tract of ground, percel of the ferest of
dip, situate within the parishes of Dealting and Stake Saint

idorael, otherwise Stoke lane, in the county of Someriet.

in. An act for dividing and inclosing the open and common lie, common meadows, common pattures, common grounds, Socommonable lands, in the parith of Patterspury, and hamlet redley Gabyon, in the said parith of Patterspury, and also a field of land called Kenson Field, in the parith of Casgrave, in hasounty of Northampton.

d. i. An act for dividing and inclosing the wastes, modes, mens, and commons, in the parith of Hanner in the county

dint.

ON



17. An act for dividing and inclosing the open fields, meadows, common pastures, and other commonable la within the parish of Fallactor in the common pastures.

within the parish of Fulletby, in the county of Lincoln.

18. An act to enable John Clarke esquire, (heretofore e John Plomer) and the heirs male of his body, to take and the surname and arms of Clarke, pursuant to the will of Ric Clarke esquire deceased.

19. An act for naturalizing Charles Bigot.

20. An act for naturalizing Louis Jouenne.

21. An act for vesting divers manors, lands, and here ments, in the county of Southampton, the settled estate of sifes Wolf baronet, in trustees, to be conveyed to a purch thereof, and for laying out the money arising by such street purchase of other estates, to be settled to the same uses.

22. An act for declaring certain lands, allotted to John? rison esquire, in the parish of Bishop Norton, in the count Lincoln, to be copyhold and freehold respectively, pursuar the award of the commissioners appointed by an act of pament of the eleventh year of the reign of his present Mail for dividing and inclosing certain open fields, lands, grounds, in the township and parish of Bishop, Norton, i county of Lincoln.

23. An act for dividing and inclosing the open arable meadows, pastures, commons, and waste grounds, in the thip and parish of Scrooby, in the county of Nottingham.

24. An act for dividing and inclosing the open and confeileds, common pastures, common meadows, and other be monable lands and grounds, within the parish of Scaldwin the county of Northampton.

25. An act for dividing, inclosing, and allotting, the locommons and waste lands, within the manor and parish of a

verley, in the county of Worcester.

26. An act for naturalizing Daniel Henry Rucker.

27. An act for exchanging the advowion of the chunt Hinten Mertell, otherwise Hinten Martell, in the county of set, belonging to his Majesty, for the advowson of the chunc Fringford, otherwise Ferringsord, in the county of Oxford longing to the right honourable Mary, counters down

Shoftesbury.

28. An act for exchanging certain lands and tenementsel of the estates comprised in the settlement made on the man of the right honourable George lord viscount Terrington, shir tain lands and tenements, belonging to the president and lars of Saint John Baptist College, in the university of Oxfordy also for exchanging certain mills and lands thereto belon likewise comprised in the said settlement, for certain land tenements belonging to John Dilly gentleman.

29. An act to confirm a lease, made by William Lambers infant, with the consent of his guardians, to the right he a able Edward Smith Stanley, commonly called Lord Stand lands in the parish of Woodmanstern, in the county of Surem



An act to enable the reverend John Blackburn, vicar of that ind parish church of Bossal, in the county of York, ad establish an exchange of certain messuages, tenemental and hereditaments, in the said county of York, for other ind hereditaments, in the same county, belonging to Henrys r Darley esquire.

An act to exchange lands between the trustees of a cers, trity estate at Hanwell, in the county of Middlesex, and

and Henry Berners esquires.

An act for effecting an exchange between John Parker entagu Edmund Parker, esquires, of parts of their settled in the county of Devon; and for other purposes therein ed.

In act for vesting several messuages, lands, and herediin the county of Devon, and city of Exeter, late the
Robert Stone gentleman, deceased in trustees, to enable
convey the same to the purchasers thereof; and to apamoney arising by such sale in payment of the debts of
Robert Stone, pursuant to a decree of the court of chan-

in act for vesting in trustees several messuages, lands, teis, and hereditaments, in the parishes of Arthuret and Kirk
is, in the county of Cumberland, part of the estate of CaViddrington, commonly called Catherine Lady Widdringreased, for a term of five hundred years, for raising and
estain sums of money to the reverend Robert Graham,
and for other purposes therein mentioned.

in act for dividing and inclosing certain common and des and meadows, in the parish of Granford in the county

lampton.

an act for dividing and inclosing the open and common and all other commonable land, within the parish of Cleeve the county of Worcester.

An act for dividing and inclosing the open and common and other commonable lands, within the parish of Beng-

n the county of Worcester.

and all other commonable land, within the precincts of welry or township of Pinvin, in the county of Worcester.

In act to confirm and establish an agreement and award, sing and inclosing the common fields, and other complands and grounds, within the manor of Adlestrop, in ty of Gloucester.

and for dividing, allotting, and inclosing, the open mon fields, common meadows, common pastures, and the commonable grounds, in the hamlets or tythings well and Filkins, in the manor and parish of Broadwell,

Broadwell Saint John, in the county of Oxford.

in act for dividing and inclosing the open and common immon meadows, common pattures, commonable closmon grounds, heath, and waste grounds, within the domaith of Great Rollwright, in the county of Oxford.



1 43. An act for naturalizing Charles Louis Spitta. In 43. An act for naturalizing John Peter Aubery.

1) 44. An act to enable John duke of Argyli to fell certain right fervitude over lands, in the county of Argyll, belonging a property to Hugh Seton esquire, and sir James Campbell barone

45. An act for carrying into execution an agreement matbetween John earl of Breadalbane, and James Menzics of Culdul for the exchange of certain lands in the county of Perth.

46. An act for vesting divers manors, messuages, lands, a hereditaments, in the counties of Esex and Norfolk, being stettled estates of fames lord viscount Grimston, of the kingder of Ireland, in trustees, to be sold, for discharging portions incumbrances, and for laying out the residue of the moneyerising by such sale in the purchase of other messuages, lands, at hereditaments, situate and being in the county of Hertford, at be settled, in lieu thereof, to the like uses.

47. An act for establishing and confirming exchanges of vers lands and hereditaments, in the parish of Rewsbam, in county of Oxford, pursuant to articles of agreement between Charles Cottrell Dermer, Benjamin Holloway esquire, and the rerend Harry Lee; and for other purposes therein mentioned.

48. An act to enable the right honourable fir John Shelley ronet, and the trustees named in the settlement on his marris with dame Wilhelmina Shelley deceased, his late wife, to conpart of the estates, in the county of Sussex, comprised in such a tlement, in exchange for, or in lieu of, other estates belong

to the faid fir John Shelley, in the same county.

49. An act for confirming and rendering effectual a partital and division, made by and between sir James Pennyman barote Charles Anderson Pelham esquire, and Michael Newton esquired divers manors, lands, and hereditaments, in the countiest York, Lincoln, and Middlesex, and city of London, late the est of sir Michael Wharton knight, deceased; and for settling is limiting the entire and specific parts and shares, which, unthe said partition and division, have been allotted to each them, to the several uses therein mentioned.

50. An act for vesting a freehold estate, late of Eliab He esquire, deceased, called Buckhouse, otherwise Munkham, are in the parishes of It sodford and Chigwell, in the county of Loin trustees, and their heirs, in trust, to sell and convey the as therein mentioned; and for applying the money arising sale thereof for the benefit of Edward Herry, an infant, only son, and heir at law; and for the other purposes the mentioned.

51. An ast to enable Peter Ligh esquire, and the reversible Assuration Legh clerk, to grant building and improving be of part of their settled estates, within the counties of Lange

and Chefter.

52. An act for vesting certain manors, messuages, lie rents, and hereditaments, in the counties of Kent and Midan part of the settled estates of Meliora Dicconson, the wife of Wal Dicconson esquire, in trustees, to be sold; and for investing



oney arising by such sale in the purchase of other lands and reditaments, to be fettled to the fame uses.

153. An act to enable the dean and chapter of the cathedral urch of Worcester, and Rowland Berkeley esquire, to make and ablish an exchange of certain lands and tithes, in the parish of theridge, in the county of Worcester.

54. An act for sale of the estate of Elizabeth Smart, an infant,

the counties of Durham and Northumberland.

55. An act to subject and charge the prebend manor of Mych ilton, in the county of Oxford, and the lands, tenements, and reditaments, thereunto belonging, with the payment of two veral perpetual yearly rent charges, or annual payments, to the verend John Wheeldon, and his successors, prebendaries of the ebend of Mych Milton aforefaid; and for divesting the feenple and inheritance thereof out of him and his successors, and vesting the same, so charged, in the reverend Charles Sturges, \* heirs and affigns.

6. An act for impowering the judges of the court of festion en Scotland to fell fuch part or parts of the estate of Ednam, in the Funty of Roxburgh, formerly belonging to James Dickson esquire, eased, and now to captain William Dickson, as shall be sufficient payment of the debts affecting the same.

payment of the debts affecting the same.

on 57. An act for vesting part of the settled estates of William scocke esquire, and Emma his wife, in the parish of Llanedwan, the county of Anglesea, in the said William Peacocke, in fee "Sple, and for fettling an estate of the said William Peacocke, in rtit lieu thereof.

ire tes late of Robert Dyng elquire, deceased, in trustes, in trustes ates late of Robert Dyne esquire, deceased, in trustes, in trust. fielfell and dispose of so much thereof as may be sufficient to pay est and discharge all the debts, legacies, and other incumbrances of setting the faid estates; and for the other purposes therein

, intioned.

eac, 59. An act for vesting the estates of Edmund Bull esquire, in He county of Hertford, and city of London, in trustees, to be fold, the payment of debts and incumbrances; and other purposes

f Loo. An act for vesting in the reverend William Peacock and his he irs, in fee simple, part of the glebe lands, and the tithes, of ing parish of Danby Winiske, and Gafferton, otherwise Yafferton, in ant, county of York; and for settling certain treehold estates of the faid William Peacock in him and his successors, rectors of the 1 parish, in lieu thereof; and for other purposes therein men-

ig bi. An act for vesting certain freehold estates, in the counties Lan Berks and Wilts, devised by the will of William Pitt esquire, cased, in trustees, to be fold, and for laying out the money hing by fuch fale, in the purchase of other lands and heredita-Aiddnts, to be settled, in lieu thereof, to such of the uses limited f Widevised by the said will, as are, or than be capable of taking

62. An

62. An act to enable Mordecai Greene esquire, and Mary \$76 wise, to carry into execution an agreement made for and on tilds behalf of Alice Bland widow, deceased, with Ralph Milner; appearance to grant building and repairing leases of such parts of the estates of the said Alice Bland, as lie in or near the town of Ma77 chester, and also leases for twenty-one years, of other the estated a late of the said Alice Bland.

63. An act for vesting the freehold and copyhold estates, eurit tailed by the will of William Lock esquire, deceased, in trustee 78. to be sold; and for purchasing other estates, to be settled to two, same uses, subject to the annuities and other charges thereo! a

and for other purposes therein mentioned.

64. An act for vesting the settled estates devised by the will erty Thomas Dudley, deceased, in trustees, to be sold, and for applyi 79-the money arising by such sale in the purchase of lands, tenmm ments, or hereditaments, to be settled to the like uses.

65. An act for vesting certain parts of divers messuages, whar pland hereditaments, called Montague Close, in the county of So parey, in trustees, in trust, to sell the same; and for other purpo 80.

therein mentioned.

66. An act for vesting the several estates of the late Samer | Heming esquire, situate in Jamaica, in trustees, in trust, to sthe the same, for the payment of the incumbrances thereon, and 81. his debts; and for other purposes.

67. An act for inclosing and improving several grounds, ound the parish of Siedmire, in the East Riging of the county of York.

68. An act for dividing and inclosing the open fields, me 2. dows, commons, and waste grounds, lying in the parish of Hilds, ling, in the county of Nottingham.

69. An act for dividing and inclosing the open and committee fields, hills, sleights, and other commonable lands, within 33. hamlet of Cutsden, otherwise Cuttesden, in the parish of Breeds,

in the county of Worcester.

70. An act for dividing and inclosing the common fens, co 4. mon meadows, common fields, and waste grounds, in the paror o of Quadring, and in Quadring hundred, in the county of Lines of

71. An act for dividing and inclosing the commons and comber mon meadows, in the liberty of Brinfley, in the parish of Gres.

ley, in the county of Nottingham.

72. An act for dividing, allotting, and inclosing, a certhin stinted pasture, called Stockham Marsh, in the parish of Bremnty in the county of Wilts; and for exonerating certain old inco. I fures within the said parish from the payment of tithes. h Ji

73. An act for dividing and inclosing the open fields, & his commonable places, of Long Itchington, and Bascote, in the couled.

of Warwick.

74. An act for dividing and inclosing certain open arable field, meadows, pastures, commons, and waste grounds, in the pade b of Sutton cum Lound, in the county of Nottingham.

75. An act for dividing and inclosing the open fields, ryho dows, common pasteres, and other commonable lands, lerba waste grounds, within the parish of Knapwell, in the count top Cambridge.

76. An act for dividing and inclosing the open and common lds, common pastures, common meadows, and other componable lands, of and within the parish and liberties of Brawn-n, in the county of Northampton.

177. An act for dividing and inclosing the open and common ld and commonable land, lying within the townships, liberties, id precincts, of Upper Tadmarton and Lower Tadmarton, in the

unty of Oxford.

78. An act for dividing and inclosing the open fields, meaws, and commons or waste grounds, within the hamlets of a and Marston, in the parish of Lea Marston, in the county of arwick; and also certain pieces of waste ground, within the erty of Dunton, in the parish of Curdworth, in the said county. 79. An act for dividing and laying in severalty the open and mmon fields, and part of the open and common downs, called wheett and Kepnell Down, Work Down, and other commonations, places; and also for dividing and inclosing Pewsey Common, in parish of Pewsey, in the county of Wilts.

80. An act for dividing, allotting, and inclosing, the open and mmon fields, common meadows, common pastures, and all er the commonable grounds, in the parish of Brize Norton,

the county of Oxford.

BI. An act to render valid and effectual certain articles of amement, for inclosing and dividing the commons and waste minds in the manor and parish of Kildale, in the county of

d2. An act for dividing and inclosing the open common fields, its, pastures, and commonable grounds, within the township, irties, and precincts, of Claydon, in the parish of Cropredy, in county of Oxford.

33. An ast for dividing and inclosing the open and common ds, and other commonable lands, in the parish of Todnam,

erwise Todenham, in the county of Gleucester.

34. An act for dividing and inclosing a moor, called Alnham por or Alnham Common, and also the Infield Grounds of the town-p of Alnham, in the parish of Alnham, in the county of Normberland.

85. An act for dividing, allotting, and inclosing, the open and nmon fields, meadows, commonable lands, and commons, thin the parith and liberties of Spaldwick with Upthorpe, in the

inty of Huntingdon.

36. An act to dissolve the marriage of Robert Greene merchant, h Juliana Greene, otherwise Judge, his now wife, and to enthing to marry again; and for other purposes therein men-

7. An act for naturalizing Levina Benjamina Goodricke.
el8. An act for rendering effectual a proposal, or agreement,
ale between the duke of Buccleugh and the lord bishop of Winler, for exchanging and enfranchising certain leasehold and
ryhold lands and bereditaments, in the parish and manor of
lerbury, in the county of Oxford; and for enabling the said
top to grant leases in manner therein mentioned.

89. An

89. An act for appointing new trustees, to carry into execution, an act, passed in the eighth year of his present Majesty reign, intituled, An act for the more effectually carrying into execution an act, made in the fixth year of the reign of his present Majest intituled, An act for vesting in trustees the settled estate of Wassington earl Ferrers, in the county of Derby, to be sold, for satisfying the incumbrances and portions affecting the same, and the rest of the settled estate, and for other purposes therein mentioned, in the room and stead of those appointed by the said act, who are desirous resigning the trust thereby reposed in them.

90. An act for the sale and enfranchisement of certain copy hold tenements and premises, in the parish of Leeds, in the coulty of York, part of the estate belonging to the free gramm school there, for the purpose of erecting a publick cloth hall, as making avenues or passages thereto; and for applying the pu

chase money for the benefit of the said school.

91. An act to confirm several building leases, already grant by the right honourable the earl of Seston, of the kingdom of It land, of part of his settled estates in the county of Lancaster; a to enable him during his life, and after his decease the trust during the minority of any infant, to grant other building a improving leases; and for other purposes in the said act me tioned.

92. An act for vesting certain lands at Hadley, in the par' Wellington, in the county of Salop, devised by the will of the revend Joshua Pulford cierk, deceased, in Joshua Freeman and I heirs.

93. An act to enable the reverend Edmund Hodsbon, rector-Spinnitherne, in the county of York, to exchange the tithes of a townships of Harrby and Spinnitherne, for lands in the parish Goverham, in the county of York, belonging to Mr. William Bay, to be settled to the same uses.

94. An act for explaining, amending, and enlarging, powers granted by an act, passed in the eighteenth year of his majesty King George the Second, intituled, An act for sale of tain leasehold rstates, late of Sarah Eaton deceased, and by her der to the provost, fellows, and scholars, of Worcester College, in university of Oxford, and for laying out the money arising thereby in purchase of sce simple estates; and for other purposes therein menticed; and for indemnifying the acting trustee or trustees, appoint under the said act, for having expended a larger sum of mothan allowed by that act; and for other purposes therein metioned.

95. An act for dividing and inclosing the open and come, fields, common meadows, and commonable lands, withing parish of Wootton Waven, otherwise Waves Wootton, in the co

ty of Warwick.

A

T A B L E

OF THE

# STATUTES

# PUBLICK and PRIVATE,

Passed Anno decimo septimo

# GEORGII III. Regis.

ing the Third Session of the Fourteenth Parliament of Great Britain.

#### PUBLICK ACTS.

p. 1. POR granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the ir one thousand seven hundred and seventy-seven.

Cap. 2. For continuing and granting to his Majesty certain ties upon malt, mum, cyder, and perry, for the service of the ir one thousand seven hundred and seventy-seven.

Cap. 3. For punishing mutiny and desertion; and for the ter payment of the army and their quarters.

Cap. 4. For the regulation of his Majesty's marine forces lile on shore.

Cap. 5. For the better relief and employment of the poor of parith of Saint Mary Islington, in the county of Middlesex; I for building a workhouse for the said parith.

Cap. 6. For vesting in David Hartley esquire, his executors, ninistrators, and assigns, the sole use and property of a certain thod by him invented of securing buildings against the calatics of fire, throughout his Majesty's dominions for a limited se.

Cap.



Cap. 7. For enabling the commissioners for executing the office of lord high admiral of Great Britain, to grant commissions to the commanders of private thips and vessels, employed in trade, or retained in his Majesty's service, to take and make prize of all such ships and vessels, and their cargoes, as are therein mentioned, for a limited time.

Cap. 8. To amend so much of an act, made in the thirteenth year of the reign of his present Majesty, (intituled, An act for establishing certain regulations for the better management of the affairs of the East India company, as well in India as in Europe,) as relates to the day on which the annual election of directors of the

faid company is to be made.

Cap. 9. To impower his Majesty to secure and detain persons charged with, or suspected of, the crime of high treason, committed in any of his Majesty's colonies or plantations in Ameri-

ca, or on the high feas, or the crime of piracy.

Cap. 10. For defraying the charge of the pay and cloathing of the militia in that part of Great Britain called England, for one year, beginning the twenty-fifth day of March, one thousand seven hundred and seventy-seven.

Cap. 11. For more effectually preventing frauds and abuses committed by persons employed in the manufactures of combing wool, worsted yarn, and goods made from worsted, in the

counties of York, Lancaster, and Chester.

Cap. 12. For building a bridge across the river Severn, from or near a place called Preen's Eddy, in the parish of Broseley, to or near a place called The Sheep-wash, in the parish of Sutton Maddisck, in the county of Salop; and for making proper roads and avenues to and from the same.

Cap. 13. For continuing, for a limited time, an act made in the seventh year of the reign of his present Majesty, to prevent frauds and abuses in the admeasurement of coals sold by wharf-measure, within the city of London and the liberties thereof, and between Tower-dock and Limehouse-hole, in the county of Mid-dlesex.

Cap. 14. To enable his Majesty to licence a theatre in the

city of Chester.

Cap. 15. For the more easy and speedy recovery of small debts within the parishes of Hallifax, Bradford, Kighley, Bingley, Guiseley, Calverley, Batley, Birstal, Mirsteld, Hartishead cum Cliston, Almondbury, Kirkheaton, Kirkhurton, and Hudderssield, and the lordship or liberty of Tong, in the west riding of the county of York; and for extending the jurisdiction of the courts baron of the honour of Pontefract, manor of Wakesield, and manor of Bingley, in the said county.

Cap. 16. For limiting the exemptions from toll (granted by any act or acts of parliament for repairing turnpike roads) on ac-

count of cattle going to and from water or pasture.

Cap. 17. For dividing the chase of Enfield, in the county of Middle fea; and for other purposes therein mentioned.

Cap. 18. For enabling the mayor, aldermen, and commons,



of the city of London, to purchase the present tolls and duties payable for navigating upon the river Thames, weitward of London-bridge, within the liberties of the city of London, and for laying a small toll in lieu thereof, for the purpose of more effectually completing the said navigation; and for other purposes.

Cap. 19. For the more easy and speedy recovery of small debts within the parish of Oid Swinford, in the counties of Worcester

and Stafford.

Cap. 20. For continuing two acts, made in the fixth year of the reign of King George the First, and in the twentieth year of the reign of his late Majesty, for laying a duty of two pennies Scots, or one-sixth part of a penny sterling, upon every Scots pint of beer or ale vended or sold within the town of Burntisland, and liberties thereof, for increasing the publick revenue of the said town, and for other purposes therein mentioned.

Cap. 21. For the better support of his Majesty's houshold, and of the honour and dignity of the crown of Great Britain.

Cap. 22. For opening communications between Wappingfirest and Ratcliff-highway, and between Old Gravel-lane and Virginia-firest; and for paving certain streets intended to be built, and also certain other streets and publick passages and places within the parishes of Saint George and Saint John of Wapping in the county of Middlesex.

Cap. 23. For lighting and watching the turnpike road leading from the stones end next Blackman-street, in the parish of Saint Mary, Newington, in the county of Surrey, to the bridge at Wal-worth in the same parish, and the several roads, ways, and places,

therein described, communicating therewith.

Cap. 24. For expediting the sale of estates in Scotland belonging to the York-buildings company, for the relief of their cre-

ditors.

Cap. 25. For widening, cleanfing, and lighting, the several streets, lanes, alleys, ways, and other publick passages, within the town of Welverhampton, in the county of Stafford; and for taking down, altering, or rebuilding certain buildings therein mentioned; and for removing all other nuisances and incroachments, and for regulating carts and other carriages within the said town.

Cap. 26. For registering the grants of life annuities; and for

the better protection of infants against such grants.

Cap. 27. For allowing a drawback of the duties of customs

on the exportation of tea to Ireland.

Cap. 28. To revive and continue such part of an act, made in the last session of parliament, intituled, An act for allowing the exportation of certain quantities of wheat, and other articles, to his Majesty's sugar colonies in America, and to the island of Saint Helena, and to the other settlements belonging to the united company of merchants of England, trading to the East Indies, and of biscuit and pease to Newfoundland, Nova Scotia, Bay Chaleur, and Labrador; and for indemnisying all persons with respect to advising or carrying into execution his Majesty's orders of council already made for allowing



al'owing the expertation of wheat, and other articles; as expired on the first day of January, one thousand seven hundred and seventy-seven.

Cap. 29. For the more effectual prevention of the manufacturing of ash, elder, sloe, and other leaves, in imitation of tea, and to prevent frauds in the revenue of excise in respect to tea.

Cap. 30. For further restraining the negotiation of promissory notes, and inland bills of exchange, under a limited sum, with-

in that part of Great Britain called England.

Cap. 31 To enable the commissioners for executing the office of treasurer of his Majesty's exchequer, or the lord high treasurer for the time being, to make an agreement or composition with the several sureties of William Brown, and the representatives of such of the said sureties as are dead, for a debt remaining due from them to the crown, on several tobacco bonds, entered into and executed by such sureties respectively; and that they and their estates and essects may be acquitted and discharged therefrom.

Cap. 32. For building a new church within the town and parish of Buckingham.

Cap. 33. To allow the master dyers, within the counties of Middlesex, Esex, Surrey, and Kent, to employ journeymen in their trade who have not served apprenticeships thereto.

Cap. 34. For the better supply of mariners and seamen to ferve in his Maiesty's ships of war, and on board merchant ships

and other trading thips and vettels.

Cap. 35. For further continuing an act, passed in the fixth year of his present Majesty's reign, intituled, An act to prohibit the impertation of foreign-wrought silks and velvets for a limited time, and for preventing unlawful combinations of workmen employed in the silk manufacture.

Cap. 36. For enlarging the times appointed for the first meetings of commissioners or trustees for putting in execution certain

acts of this fellion of parliament.

Cap. 37 To indemnify such persons as have omitted to qualify themselves for offices and employments; and to indemnify justices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving surther time for those purposes; and to indemnify members and officers, in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or missaid; and for allowing them time to provide admissions duly stamped; and to give surther time to such persons as have omitted to make and file assidavits of the execution of indentures of clerks to attornies and solicitors.

Cap. 38. For raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand seven hundred and seventy-seven.

Cap. 39. For granting to his Majesty a duty upon all servants retained or employed in the several capacities therein mention-



ed; and for repealing several rates and duties upon glass, imposed by an act made in the nineteenth year of the reign of his late Majesty, and for granting to his Majesty other rates and duties upon glass in lieu thereof, and for the better collecting the duties upon glass; and for repealing the several rates and duties charged by an act made in the twenty-ninth year of the reign of his said late Majesty, upon all persons and bodies positick and corporate having certain quantities of silver plate.

Cap. 40. To authorise the carrying of the captures therein mentioned into any part of his Majesty's dominion in North America; and for ascertaining the value of such part of ships and

goods as belong to the recaptors.

Cap. 41. To prevent the clandestine unshipping from and receiving goods at sea on board vessels employed in the East India company's service; for ascertaining the manner of discharging bonds given for the due exportation of certain goods from Great Britain to foreign parts; and to oblige the masters of British or Irish ships, sailing from any of his Majesty's dominions into the Baltick, to deliver a manifesto of their cargoes to the British conful residing there.

Cap. 42. For preventing abuses in the making and vending

bricks and tiles.

Cap. 43. For repealing the eleventh rule in the book of rates, fo far as the same relates to making any allowance upon the importation of damaged currants and raisins, and for making the importer of such goods an abatement in the duties in lieu thereof; and for explaining the said rule with respect to such allowance for damage on other goods; and to permit the exportation of tobacco pipe clay from this kingdom to the British sugar colonies or plantations in the West Indies, for a limited time.

Cap. 44. To continue the several laws therein mentioned, relating to encouraging the making of indico in the British plantations in America; to the registering the prices at which corn is sold in the several counties of Great Britain, and the quantity exported and imported; to encouraging the manufacturing of leather, by lowering the duty payable upon the importation of oak bark, when the price of such bark shall exceed a certain rate; to the allowing timber and wood to be exported from the island of Dominica into any other of the British islands, colonies or plantations in America, and to the allowing a bounty on the exportation of British-made cordage.

Cap. 45. For allowing further time for inrollment of deeds and wills made by papifts, and for relief of protestant purchasers.

Cap. 46. For raising a certain sum of money by way of an-

nuities, and for establishing a lottery.

Cap. 47. For granting to his Majesty a certain sum of money out of the sinking fund, and for applying certain monies therein mentioned for the service of the year one thousand seven hundred and seventy-seven; and for surther appropriating the supplies granted in this session of parliament.

Cap. 48. For rendering more effectual an act made in the four-

fourteenth year of the reign of his present Majesty, for promoting the discove y of a method for finding the longitude at sea, so far as relates to the encoura ement and reward of persons making lesser discoveries for finding the same, or making other usetul discoveries and improvements in navigation; and to the making of experiments relating thereto.

Cap. 49. To enable the lords commiss ners of his Majesty's treasury to compound a d bt due to the crown from the estate of

William Harry deceased, and h s sureties.

Cap. 50. For gran ing to his Majesty certain duties on licences, to be taken out by all persons acting as auctioneers; and certain rates and duties on all lands, houses, goods, and other things, sold by auction; and upon indentures, leases, bonds, deeds, and other instruments.

Cap. 51. For enabling his Majesty to raise the sum of one

million for the uses and purposes therein mentioned.

Cap. 52. For better fecuring the duties on sope, and the duties on rum of the fugar plantations put into warehouses; and for allowing a drawback of the duties on rum shipped as stores, to be consumed on board merchant ships on their voyages, for a limited time.

Cap. 53. To promote the residence of the parochial clergy, by making provision for the more speedy and effectual build ng, rebuilding, repairing, or purchasing houses, and other necessary buildings and tenements, for the use of their benefices.

Cap. 54 For defraying the expence of building a new gaol

and thire-hall for the county of We tmorels d.

Cap. 55 For the better regulating the hat manufactory.

Cap. 56. For amending and rendering more effectual the feveral laws now in being, for the more effectual preventing of frauds and abuses by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and filk manufactures; and also for making provisions to prevent frauds by journeymen dyers.

Cap. 57. For more effectually fecuring the property of prints to inventers and engravers, by enabling them to fue for and re-

cover penalties in certain ca es.

Cap. 58. For enlarg ng the publick gaol of the county of War-

wick, and for other purposes therein mentioned.

Cap 59 To repeal an act, made in the twelfth year of the reign of King Charle the Second, intituled, The master of the rolls impore red to make leas s for years, in order to new-build the old bouses be a ging to the ro's; and for the better regulating the method of granting leaf of the faid rolls estate for the future; and for making compensati n to the earl of Macclesfield, and fir Thema Sewell, for their benefic al rights and interests in certain leases made of the rolls esta e; and for regulating the method of making I ales of the faid estate for the future.

Cap. 6 For inclosing and e nbellith ng the m'ddle part of Hoxton Square, in the parish of Saint Lo nard, S or d cl, in the



county of Middlefex; and for extinguishing all right of common

A TABLE of the STATUTES.

in and upon the faid fquare.

Cap. 61. To enable the dean and chapter of the collegiate church of Saint Peter in Westminster, to open a street from the south end of Long-ditch to the north end of Smith-street, and to widen part of Tothill-street, and of Long-ditch aforesaid; and to widen the passage between Orchard-street, and the new intended street, and also to widen IVood-street, and to make a more commodious entrance from the Broad Sanstuary into Dean's-yard, within the city and liberty of Westminster.

Cap. 62. For the more easy and speedy recovery of small debts, within the several parishes of Surfleet, Gosberton, Quadring, Donington, Bicker, Swineshead, Wigtost, Sutterton, Algarkirk, Fosdike, Kirten, Frampton, Wiberton, and Brothertost, within the hundred of Kirton, in the parts of Holland, in the county of Lincoln.

Cap. 63. To explain and amend an act, made in the four-teenth year of the reign of his present Majesty, intituled, An act for paving, repairing, lighting, and watching the streets, and other publick passages and places, within that part of the parish of Clerkenwell called Saint James's, and removing obstructions and annoyances therein; for widening the passage from Clerkenwell-green, to the parish church, and for watching and lighting certain highways within the said parish; for repairing the highways in the said parish, and cleansing the said part of the said parish; for widening the passage from Clerkenwell-close to Rosoman's Street, and from Rosoman's Street to Saint John-street; and for building a chapel in the said parish.

Cap. 64. For the better relief and employment of the poor of the parish of Saint Mary Abbotts, Kensington, in the county of

Middlesex; and for other purposes therein mentioned.

Cap. 65. For amending and rendering more effectual an act, made in the twenty-second year of the reign of King George the Second, intituled, An act for draining and preserving certain sen lands and low grounds in the several parishes of Sutton, Mepal, Witcham, Chatteris, Doddington, and a place called Byal-sen, in the Isle of Ely, and county of Cambridge; and also in the parishes of Somersham and Pidley with Fenton, in the county of Huntingdon, so far as the same relates to the sen lands and low grounds lying in the parishes of Sutton, Mepal, Witcham, Chatteris, and a place called Byal-sen, in the Isle of Ely.

Cap. 66. For establishing a nightly watch within the hamlet of Mile-end Old Town, in the parish of Saint Dunstan Stepney,

otherwise Stebonheath, in the county of Middlesex.

Cap. 67. For varying and enlarging the powers of an act made in the twelfth year of the reign of his present Majesty, for making a navigable cut or canal from the river Dee, within the liberties of the city of Chester, to or near Middlewich, and Nantwich, in the county of Chester.

Cap. 68. For rebuilding the bridge over the river Severn, at Maisemore, near the city of Gloucester, for raising, widening, and securing Over's Causeway, leading from the said city towards



Ma [ more afo esaid; and for en orcing the proper paving and cleansin of the several streets with n the side of y, and for removing nurances and annoyances therefrom, and preventing the like for t e suture.

Cap. 69. For making and maintaining a navigable cut or canal from the river Tree, in the lordsh ps of Saw ey and L ng Ea2 n, in the courty of Der y, to or near Langley bridge, in the coun-

tes of Der y and lotig am.

Cap. - . F'r d vidit  $\sigma$  and inclosing the open common fields, meadows, dales, and common f n, within the parish of Billing-hay, in the county of Ln is and for draining and preserving the sad tales and common fen, and also certain inclosed low

lands thereto adjoining in the faid parith.

Cap. 71. To enable the feoffees and trustees of an estate in the county of Middlesex, given by Lawrence Steriff, for the founding and maintaining a school and alms-houses at Rugby, in the county of Warwick, to sell part of the said estate, or to grant leases thereof, or of any part thereof, and to effectuate the other

purpo es t'ierein mentioned.

Cap. 72. To enlarge the term and powers of an act, made in the second year of his present Majesty's reign, for repairing, widening, turning, and shortening, the road leading from the turnpike road on F. rrud's C. mmon, in the parish of Bradford, through Holt and Meltshars, to Homan's Stile, in the parish of Laycock, in the county of Wilts; and for completing a communication between the said road, and the Bath turnpike road, upon Kings-down-bill, in the same county.

Cap. 73. For continuing the term, and altering and enlarging the powers, of so much of an act, made in the twenty-sixth year of the reign of his late majesty King George the Second, for repairing certain roads therein mentioned, as relates to the roads from Kighley to Wakefield, and from Kighley to Hallisax, and from Dud'ey-hill through Beckwith-shaw to Kilungha I, and from Beckwith shaw to the south-west corner of Harrogate Inclosures, in the

west riding of the county of York.

Cap. 74. For repairing and widening the road from a place ca'led Crouch-lill, in the parith of Henfield, to the turnpike road leading from Brightleimflore to Cuckfie 1, and from the cast side of the said turnpike road to the town of Ditchii 19, in the county

of Suffex.

Cap. 75. To repeal an act of the thirty third year of his late Majesty, for amending, widening, and keeping in repair several roads leading from the market-house in the town of Kiddermin-ster, in the county of Worcester; and also to repeal so much of two acts of the tenth of his late Majesty, and the seventh of his pre ent Majesty, as relate to the road from the Mitre-cak to a farm-house called Goodness; and from Titton-brook to the hamlet of Wribbenhill, in the said county; and to discontinue the powers of an act of the eighth of his present Majesty, so far as relate to the road from the Grass of the Hind near Grasses Farm, to a place called The Spout; and for more effectually amending, widen-



ing, and keeping in repair, the several roads described in the first-mentioned act; and also several other roads therein mentioned.

Cap. 76. For continuing the term of two acts passed in the fourth and twenty-fourth years of his late majesty King George the Second, for repairing the road leading from the most southern part of Butt-lane, in the parish of Lawton, in the county palatine of Chester to Lawton, and from thence to Henshall's Smithy, upon

Cranage-green, in the faid county.

Cap. 77. To enlarge the term and powers of an act, made in the twenty-fifth year of the reign of his late Majesty, for repairing the roads from the town of Leeds, through Harwood, to the south-west corner of the inclosures of Harrogate, and from thence in two branches (one through Ripley, over Burage-green, and the other through Knaresborough and Burrough-bridge) to Ripon, and from thence to the first rill of water or watercourse on Hutton-moor, in the county of York, and for repairing the sloughs or ruts on the said moor; so far as the same relates to the road leading from the south-west corner of the inclosures of Harrogate (through Knares-

borough) to Borough-bridge.

Cap. 78. For enlarging the term and continuing the powers of two acts of parliament, one passed in the twenty-fifth year of the reign of his late majesty King George the Second, intituled, An act for repairing the roads from the town of Leeds, through Harwood, to the south-west corner of the inclosures of Harrogate, and from thence in two branches (one through Ripley, over Burage-green, and the other through Knaresborough and Boroughbridge, to Ripon, and from thence to the first rill of water or watercourse on Huttonmoor, in the county of York, and for repairing the sloughs or ruts on the said moor; and the other passed in the twenty-ninth year of his said Majesty's reign, to explain and amend the said first-mentioned act; with respect to the road from the town of Leeds, through Harwood, to the south-west corner of the inclosures of Harrogate.

Cap. 79. For continuing the term and enlarging the powers of an act made in the second year of the reign of his present Majesty, for repairing and widening several roads in the counties of Cornwall and Devon, leading to the borough of Saltash, in the

county of Cornwall.

Cap. 80. For enlarging the term and powers of two acts of parliament, one passed in the twenty-sisth year of the reign of his late majesty King George the Second, intituled, An act for repairing the roads from the town of Leeds, through Harwood, to the south-west corner of the inclosures of Harrogate, and from thence in two branches (one through Ripley, over Burage-green, and the other through Knaresborough and Borough-bridge) to Ripon, and from thence to the first rill of water or watercourse on Hutton-moor, in the county of York, and for repairing the soughs or ruts on the said moor; and the other passed in the twenty ninth year of his said Majesty's reign, to explain and amend the said first-mentioned act; with respect to those parts of the said roads from Harregate,

through



through Rip ey and Ripon, to the north east corner of Hu onm r, and from the east end of Krby bill m or to the town of Ri on af refa d

Cap. 81. For continung the term and enl ring the powers of an act made in the thirty first year of the reign of his late Majesty, r repair ng t e high r ad leading from B ent Bridge, in county f Devon, to Galking-gate, in or near the borough of Ply-

mouth, it ile fu d c un y.

Cap. 82. For enlarging the term and powers of three several acts of par lament, for repairing the roads therein mentioned in the county of Bu ks, to far as the fa d acts relate to the road from the west end of the town of Wendov r to the end of a lane called Oak ane, next the great road, called The Oxf rd R ad; and also half a mile of road next from the river Colne towards Becon field,

in the faid county.

Cap. 83. For continuing the term of an act, made in the twenty-n nth year of the reign of his late Majesty, for repairing and widening the road fr m t e top of Harnham-hill, near the city of New Sarum, in the county of Wilts, through t e touns f Blandford Forum and Do chester, to a certain intrenchment on Askerwell-hill, in the county of Dorset, and from the index post on the ide of Harnham-hill aforefaid to a bouje called Master Baker's Farmhouse, in the faid county of Wilts.

Cap. 84. For enlarging the term and continuing the powers granted by an act passed in the thirtieth year of he reign of his late majesty King George the Second, for repairing the road from a place called The Golden Farmer, near Bagihot, in the county of Surrey, to Hertford-bridge-hill, in the county of Southampton.

Cap. 85. To enlarge the term and powers of two acts, passed in the second and twenty-second years of his late Majesty's reign, for repairing the several roads therein mentioned, leading into

the town of Leominster, in the county of Hereford.

Cap. 86. For continuing the term and altering and enlarging feveral of the powers contained in an act, made in the feventh year of the reign of his present Majesty, so far as the same relate to the road from the turnp ke road between the town and county of Porle and Winborn minster, in the county of Dor et, to the t rnp ker ad in the parish of Brianston, in the laid county of Dorfet, which eads from B'andford-forure to Do chefter.

Cap 8". F renlarg ng the terms and powers of two acts, paffed in the fourteenth and twenty-fixth years of his late Majesty's reign, for repairing the road leading from Ealand to the

town of Leeds, in the west riding of the county of York.

Cap. 88. For enlarging the term and altering the powers of an act, made in the twenty-eighth year of the reign of his late Majesty, f r repairing and widen ng several roads therein mentioned, in the counties of Warwick and Oxf rd, so far as relates to the road from the gui e-post in the village of Adderbury, through K. n ton, to the m leway I ading towards the city of Oxford.

Cap 89. To en large the trn and powers of an a ? passed in tle tw nty fixth year of the re gn of his late majesty King G rge



the Second, for repairing and widening the road from The Half-way-house, in the parish of Lower Crompton, in the county of Dorset, through the towns of Yeovil, Crewkerne, and Chard, to the east end of the town of Axminster, in the county of Devon, and several other roads round the town of Yeovil, in the county of Somerset; and for amending two roads leading from Vagg Hollow, in the parish of Yeovil!; and the road from Chard to Cheeseway-ash; and from White Down to Perry-street, in Chard, and from thence to the turnpike road near Tytherleigh Inn, in the said county of Dorset.

Cap. 90. For continuing the term, and altering and enlarging the powers of an act, made in the thirty-third year of the reign of his late Majesty, for diverting, altering, widening, repairing, and amending the roads from the town of Halifax, and from Sowerby-bridge, in the county of York, by Todmorden to Burnley and Lit-

tleborough, in the county of Lancaster.

Cap. 91. For repairing and widening the road leading from the Maypole, in the town of Henfield, over Poynings common, to the town of Brighthelmstone; and from Poynings common afore-faid, to High-cross, in the parish of Albourne; and from thence, for the distance of two furlongs of the road or lane leading towards Twineham; and from the marle-pit near the bottom of Saddlescombe-hill, in the parish of Newtimber, to the marle-pit fronting Newtimber Broad Lane, in the same parish, in the county of Sussex.

Cap. 92. For repealing so much of two acts made in the eleventh and seventeenth years of the reign of King George the Second, for repairing several roads leading to and from the town of Derby, in the county of Derby, as relates to the road leading from the gaol-bridge in the said town of Derby, through the town of Asbborne, to Hurdloe-house in the said county, for making more effectual provision for the repair of the said road; and for enabling the trustees to alter part of the course of the present road

between Ashborne and the New-inn turnpike.

Cap. 93. For continuing the term and powers of an act, made in the twenty-ninth year of the reign of his late Majesty, far repairing and widening the road from the eighteen mile-stone beyond Willoughby-hedge, through the town of Mere, in the county of Wilts, and through Wincanton, to Charlton-houthorn, and from thence to Milburne-port; and from Willoughby-hedge aforesaid to the west end of Long-lane, in Kilmington; and from Wincanton aforesaid to the Sherborn turnpike cross-gate on Cattle-hill, and from Wincanton to Sparkford, in the county of Somerset.

Cap. 94. For repairing and widening the road from Stall-gate Close, at the fouth-west end of the town of Bedford, to the town of Ampthill; and from the said town of Ampthill to If oburn Park, in the county of Bedford; and also the road branching out of the same in Kempston-field to the turnpike road leading from Hitching

to the said town of Bedford.

Cap. 95. For continuing the term and altering and enlarging the powers of an act of parliament, made in the twenty ninth year

Tal y Cafn Ferry aforesaid, on the Denbighshire side of the River Conway, to join the turnpike road between Conway and Saint Asaph, at a place called Sarn y Mynech; and from the turnpike road between Bangor and Conway, at the village of Aber, over Bwlch y Ddwyfaen Mountain to Tal y Casn ferry aforesaid, and from thence to the town of Lianrws in the county of Denbigh.

#### PRIVATE ACTS.

A N act for dividing and inclosing the commons and waste grounds in the manor and parish of Crownthorpe, in the county of Norfolk.

2. An act for naturalizing Andreas Gottlieb.

3. An act for naturalizing Gilles Prudent Melaffe.

4. An act for naturalizing Derethea Margreta Hartman.

5. An act for naturalizing Paul Johan Christian Tax and John

Vallientine Gottlieb.

6. An act for vesting the several rectories, parsonages, churches, and chapels, of Rockburne, Becamore, South Charford, Hale, Whitsbury, and Quidesley, with the glebe lands, tithes, and other appurtenances, thereto respectively belonging, part of the settled estate of the most noble George Duke of Manchester, in trustees, upon certain trusts therein expressed; and for settling other lands and hereditaments of the said Duke, in lieu thereof, to the several uses therein mentioned.

7. An act for dividing and inclosing the common and open fields, common meadows, and common pastures, within the manor and parish of Thorpe Malsor, in the county of North-

amplon.

8. An act for dividing and inclosing the common and open fields, meadows, commonable lands, and waste grounds, in the

parish of Tansor, in the county of Northampton.

9. An act to enable the mayor, aldermen, and burgesses, of the town of Great Torrington, in the county of Deven, and other trustees, to grant part of the common or waste lands called Great Torrington common, to William Callon, pursuant to an agreement for that purpose, and other the purposes therein mentioned.

10. An act for dividing and inclosing an open waste or common, called Westergate common, in the parish of Aldingborne, in

the county of Suffex.

11. An act for dividing and inclosing the open fields, meadows, pastures, commons, or waste grounds, within the lordship or liberty and parish of *Hatherne*, in the county of *Leicester*.

12. An act for dividing and inclosing the open fields and meadows within the parish of Shepsbead, in the county of Leicester, and the common ground lying within the ring fence of the same fields, and adjoining thereto, within the same parish; and also several

feveral closes or parcels of land and ground, called The Carr and

Micha lmas grounds, with n the said parish.

13. An act for dividing, allotting, and inclosing, the open and common fields, common pastures, common meadows, and other commonable lands and grounds, of and within the manor and parish of Holcot, in the county of Northampton.

14. An act for dividing and inclosing the common and waste grounds within the manor or lordship of King's Meaburn, in the

parish of Moreland, in the county of Westmoreland.

15. An act for div ding and inclosing a certain piece of common or waste ground, lying in the villages of Horne iff and Horncl ff Lane End, in the parish of Norham, in the county of Durh m.

16. An act for dividing and inclosing several commons or waste grounds, open common fields, undivided inclosures, and other commonable lands, within the manor and parish of Thorner, in the west riding of the county of York.

17. An act for dividing and incl fing the moors, commons, or waste grounds, within the township of Rednal, in the parish

of West Felton, in the county of Sa'op.

18. An act for dividing, allotting, and inclosing, the open and common fields, meadows, commonable lands, and commons, within the parish of Tempsford, in the county of Bedford.

19. An act to enable John Lames, a minor, and his issue, to take and use the surname of Waight, pursuant to the will of John Waight esquire, deceased.

20. An act for natural'zing George W lliam Soltau, Ge hard Berck, Henry Albrecht Hamn elburg, and Gunter Henry Kr ger.

21. An act for naturalizing Ern ft B rnerd Banning.

22. An act for n turaliz ng 7 In C ntl vres.
23. An at f r natural zu g Marc lin P rioud.

24. An at to naturalizing IV sam Agut 2. 25. An act for naturalizing Wlen Vug t.

26. An act f r naturalizing H ra & Ca ta o and Frate Gaudot

27. An act for vesting certain estates of R bert Ledbr ke esqui e, in the City of Lon on, and count es of Mi dl ex, N thampton, Brks, and Warzus k, in trustees, to b sold; and f r laying out the mon'es to arre thereby in the purchase of other manors, lands, and hered tam nts, t be fettled to the same uses as the faid fettled e fates now stand im ted

28. An act to discharge ertain copylod remises, in the parish of H on, in the count of Md x, from the ues nd trusts there f, dec red by the will f M y Wo ton de e f d, and to subject and cha ge the same c pyhold premise, and a so certa n freehold las ds lying c ntiguous thereto, with n par'sh, with the payment of a perpetual ye rl rent cla twelve pounds to the Reverend In Gib n clerk, aidh uccessors, vicars of the ad parish, f r the use of the p r f the fame parish; and f r f ttl no and affur ng the same p em se so charged in the trustees of R pe t C k esquire, upon the t u s therein ment oned.

29. An act for vesting pirt of the settled estates of R Vol. XXXI Grim-

Grimston esquire, at Thwing and Otton, in the parish of Thwing upon the Woulds, in the east riding of the county of York, in the said Robert Grimston, in see-simple; and for settling an estate of the said Robert Grimston, in the township of Neswick, in the parish of Bainton, in the said east riding of the county of Yark, of greater value in lieu thereof; and for other purposes.

30. An act for dividing and inclosing the open fields, meadows, pastures, and other uninclosed grounds, within the town-ship of Tunstall in Holderness, in the east riding of the county of

York.

31. An act for dividing, allotting, and inclosing, the open and common fields, meadows, and pastures, in the parish of System, in the county of Leicester, and several parcels of uninclosed land, in the parish of Barkby, in the said county of Leicester, lying within the ring of the said fields.

32. An act for dividing and allotting the several open and common fields, pastures, and other uninclosed grounds, within the township of Boynton, in the east riding of the county of York.

33. An act for dividing and inclosing a common moor, or tract of waste ground, called Lees Fell, otherwise Morralee, and Struther's Common, and Hagbank, within the barony or manor of Langley, and in the parish of Warden, in the county of Northumberland.

34. An act for dividing and inclosing the commonable lands and waste grounds, within the manor and parish of Compton Bishop, commonly called or known by the name of Cross Moor

alias Charles Mcor, in the county of Somerset.

35. An act for dividing and inclosing the open and common fields, meadows, common pastures, and other commonable lands and grounds, in the parish of Swir stead, and county of Lincoln.

36. An act for dividing and inclosing the open common fields, common pastures, waste grounds, and commonable places, in the parish of *Duntisborne Abbotts*, in the county of *Gloucester*.

37. An act for dividing and inclosing certain open fields, lands, and grounds, within the parish of Kirnington otherwise Kirmington, in the county of Lincoln.

38. An act for dividing and inclosing the several commons and waste grounds within the manor of Skirland, in the county

of Derby.

39. An act for dividing and inclosing the several commons and waste grounds within the manor of Stretton, in the parishes of Northwing field and Morton, in the county of Derby.

40. An act for dividing and inclosing the open fields, meadows and grounds, in the parish of Winthorpe, in the county of

Nottingham.

41. An act for dividing, allotting, and inclosing, certain commons or waste lands, lying in the parish of Huntspill, in the county of Somerset; and also certain moors, called Land Moor otherwise Cote Moor and Gold Corner, lying in or near the said parish of Huntspill and Cossington, in the said county.



42. An act for dividing, inclosing, and improving Walling fen,

in the east riding of the county of York.

43. An act for dividing, inclosing, assigning, and allotting, the open and common field, and commonable land, lying within the liberties, territories, and precincts, of Ludgershall, in the

county of Buckingham.

44. An act for dividing and inclosing several open fields and stinted pastures, within the township of Bugtherpe, in the county of York; and for exempting the lands, tenements, and front-steads, within the parish of Bugtherpe, from the payment of tythes, and other ecclesiastical dues; and for other purposes therein contained.

45. An act for dividing and inclosing Fremington Edge and Fremington Moor, and certain waste grounds in the township of Fremington, in the parish of Grinton, in the north riding of the

county of York.

46. An act for dividing and inclosing Aysgarth Pasture and Aysgarth Moor or Common, in the township and parish of Aysgarth,

in the north riding of the county of York.

47. An act to dissolve the marriage of John Potter Harris esquire, with Elizabeth Martha Chicheley Plowden, his now wife; and to enable him to marry again; and for other purposes therein mentioned.

48. An act to enable Jervoise Clarke esquire, and the heirs male of his body, to take and use the surname and arms of Jervoise, pursuant to the will of Thomas Jervoise esquire, deceased.

49. An act to enable the archbishop of Canterbury and Daniel Ponton elquire, to grant building leases, pursuant to an agree-

ment entered into for that purpose.

50. An act for vesting in the right honourable Rebert Spencer, commonly called lard Robert Spencer, and the most noble George duke of Malborough, one of the knights companions of the most noble order of the garter, and the heirs and assigns of the said duke of Malborough, the settled estates of the said lord Robert Spencer, situate in the county of Lincoln.

Broughton baronet, fituate in the county of Starford; and for purchasing other estates, situate in the county of Che ler, to be settled to the same uses; and for extinguishing the said fir Trovas Broughton's power of making leases for lives, as to part of his settled estate in the county of Che ler, and making such recompence to him for the same as therein is mentioned.

52. An act to enable John Birnewal. Cur in elquire, to lettle a jointure upon any woman or women he may hereafter marry.

53. An act to enable Thomas Asso. In Sinth elquire, and William Henry A. Sheton Smith his brother, to grant building, improving, and other leases of the estates deviced by the will of William Smith esquire, deceased.

54. An act for vesting the undivided moiety of the reverend Henry Ofman clerk, and Mary his wife, of and in certain lands

and hereditaments, in the parish of King's Langley, in the county of Hertford, in trustees, to be sold; and for applying part of the money arising by such sale in discharge of an incumbrance upon the said moiety; and for laying out the residue thereof in the purchase of entire messuages, lands, or hereditaments, to be settled in lieu thereof, to the same uses.

55. An act for establishing and confirming exchanges of divers mediages, lands, tenements, and hereditaments, situate, standing, lying, and being, within the hamlet of Wighthill, in the parish of Tackley, in the county of Oxford, pursuant to articles of agreement between the president and scholars of Corpus Christic College, in the university of Oxford, and Simon Wisdome esquire;

and for other purposes therein mentioned.

of Saint Mary Magdalen, in the university of Oxford, to grant building leases of certain ground, messuages, houses, and buildings, in the parish of Saint John, Southwark, in the county of

Surrey.

57. An act to enable the feoffees and trustees of an estate in the county of Middlesex, given by Lawrence Sheriff, for the founding and maintaining a school and almshouses at Rugby, in the county of Warwick, to sell part of the said estate, or to grant leases thereof, or of any part thereof; and to effectuate the other purposes therein mentioned.

58. An act for dividing and inclosing the commons and waste grounds within the manor of Bolton, in the county of Cumber-

land.

59. An act for dividing and inclosing certain commons and wastes within the manor of Egremont, in the county of Cumberland.

60. An act for dividing and inclosing the common and waste grounds, within the townships, villages, or hamlets of Carleton, Brisco, and Il reay, within the manor or lordship of Botchardgate, otherwise Prior Lordship, in the parishes of Saint Cuthbert Carlisle, and Saint Mary Carlisle, in the county of Cumberland.

61. An act for dividing and inclosing the common and open fields, meadows, commonable lands, and waste grounds, in Nassington, Yarwell, Apethorpe, and Ibood-newton, within the prebend or peculiar of Nassington, in the county of Northampton.

62. An act for dividing, allotting, and inclosing, the open and common fields, heaths, half year lands, and other commonable meadows, pastures, and grounds, within the parish of Little Cressingham, in the county of Norfolk.

63. An act for dividing and inclosing the commons, or waste lands, within the manor of Whittington, in the county of Salop.

64. An act for dividing, allotting, and inclosing, the several moors, commons, and waste grounds, lying within the manor and parish of Farlam, in the county of Cumberland.

moors, commons, and waste grounds, lying within the manor

and parish of Brampton, in the county of Cumberland.

66. An act for dividing, inclosing, and improving, certain

commons, lands, and grounds, in the township of Tibshelf, in the county of Derby.

67. An act for dividing and inclosing the open and common fields, and other commonable lands, in the parish of We ton under Wetheley, in the county of Warwick.

68. An act for dividing and inclosing the open and common fields, and other commonable lands, in the parish of Condicote,

in the county of Gloucester.

69. An act for dividing, allotting, and inclosing, the commons and waste lands, within the parish of Wrening am, in the

county of Norfolk.

70. An act for dividing, allotting, and inclosing, the old whole year inclosures, common fields, commons, and waste lands, within the parish of Carlton Rode, in the county of Norfolk.

71. An act for dividing and inclosing certa n tracts of waste grounds, moors, or commons, within the manor and barony of Prudehoe, and parish of Ovingham, in the county of Northumber-land.

72. An act for dividing and inclosing the open fields and commonable places of and within the parish f We od, in the

county of Northampton.

73. An act for dividing and inclosing the open c mmon fields, meadows, pastures, common, a d omm able lands within the manor and parish or Stan n Sai it Fol i, in the county of Oxford.

74. An act for dividing and n losing the open and common field and common able lands ly now that the ounsh ps and l berties of Great Bourton and Litte Bourton, in the parish of

Cropredy, in the county of Ox o

75. An act for dividing, a lottin, and nelofing, the dole or heath lands, commons, and waste rounds, vithin the parish of

Feltlorpe, in the county of Nr k.

76. An act for dividing, allott ng, and laying in severalty, the open common fields, comm n meadows, common down, waste lands, and c mmonabe places, within the parish of Market Lavingt n, in the county of W. t.

77. An act for d viding and incl fi a common or moor, called Howtel Conmon al s Hu, in the parish of Kirknew

ton, in the co nty of Nort um 11d.

and in the open and uninc mm n field, within the manor and parish of IVer v in the cunty B ki gh m; and f r establishing and se urng certain annua payme is in lieu of tithes.

79. An a t for div ding and 'ncl fin\_t common and waste gro nds, and certa n common fils, and alotw m ses, called IV 1 m Mos and Hidrst ne MI, wthin the m nor of Ya-la, in the parish of W 111, and c unty p la ne f L n ser.

80. An act for dvdn and n l iin ie oper and c mmon fields, ommon meadow common paf s do her common nable lands, lying and be ng n Wyk Cu, in the par sh



parish of Rothley, in the county of Leicester.

81. An act for dividing and inclosing three several moors or commons, called Low Gatherley Moor, Moor Holne, and The High Moor, situate in the several townships of Kirkby Ravens-worth, Ravensworth, and Washton, in the parish of Kirkby Ravens-worth, in the north riding of the county of York.

82. An act to dissolve the marriage of John Braithwaite esquire, with Elisibeth Browne, his now wife; and to enable him

to marry again; and for other purposes therein mentioned.

83. An act to enable William Kilborn and his issue male to take and use the surname of Burrowes, pursuant to the will of

John Burrowes deceased.

84. An act for vesting the real estates late of Ann Philips spinster, now the wife of Henry Barnes gentleman, comprized in their marriage settlement, situate in the county of Salop, in trufees, to be sold; and for applying the purchase-money for the

purposes in the act mentioned.

85. An act for vesting in trustees and their heirs certain estates of Philip Jones, and Robert Berkley, esquires, in the counties of Kent and Sussex, in order to sell the same, and, with part of the purchase-money, to discharge certain incumbrances thereon; and for laying out the residue of the purchase-money in the purchase of other estates, to be settled to the same uses as the said estates to be sold stand limited.

86. An ast for discharging part of the settled estates of Thomas Hul. esquire, in the counties of Dorset and Devon, from the uses and trusts of his marriage settlement; and for settling other estates, in the county of Devon, in lieu thereof; and for other

pui poses.

87. An act for uniting and better regulating the charities of Nathaniel Waterhouse, within the town and parish of Halifax, in

the west riding of the county of York.

88. An act for vesting certain pieces or parcels of ground and hereditaments, in the county of Kent, part of the settled estate of William Wheatley esquire, in trustees, to be sold to sir Sampson Gideon baronet, pursuant to agreement; and for laying out the money arising by sale thereof in the purchase of other lands or hereditaments, to be settled to the same uses.

89. An act for vesting certain messuages and hereditaments, in the several parishes of Kirkwhelpington, Lowick, and Simonburne, in the county of Northumberland, late part of the estate of sir John Swinburne baronet, deceased, in trustees and their heirs, in trust, to be sold, discharged from the uses, trusts, charges, and powers, in the will of the said John Swinburne mentioned; and for applying the money to arise by sale thereof in manner therein mentioned; and for other purposes therein expressed.

90. An act to enable William Fackson and Hannah his wife to carry into execution an agreement for sale of certain hereditaments, situate at or near Barney, in the county of Norfolk (being their settled estate) to Richard Reeve the younger, gentleman; and for laying out the money arising by such sale in the purchase

of other lands and hereditaments to be settled to the uses to which the said settled estate doth now stand limited.

91. An act for vesting certain messuages, lands, tenements, and hereditaments, in the Isle of Wight, the settled estate of Elizabeth Trattle of Cardiff, in the county of Glamorgan Widow; and also a certain messuage, and lands and hereditaments, of the warden and scholars, clerks of Saint Mary College of Winchester, near It inchester, in the county of South impton, in trustees, in trust, to sell and convey part of the said settled estate, and also the said estate of the said warden and scholars, clerks, to sir Richard Worsley baronet; and other part of the said settled estates, to the said warden and scholars, clerks; and to apply part of the money arising from such sale, in paying off an incumbrance affecting part of the said settled estate; and for laying out the residue of the said money in the purchase of other lands and hereditaments, to be fettled to the like uses; and to enable the faid warden and scholars, clerks, to take a conveyance of that part of the faid fettled estates intended to be conveyed to them.

92. An act for vesting part of the settled estates of William Weddell esquire, in trustees, to be sold; and for laying out the money ariting by such sale in the purchase of lands and hereditaments, to be settled in lieu thereof; and for the other purposes therein mentioned.

93. An act for vesting the real and personal estate of John Harvey gentleman, a lunatick, in trustees, in trust, to sell so much thereof as will be sufficient for the payment of the debts and legacies of John Harvey, his late father deceased; and sor

other purposes therein mentioned.

94. An act for repealing an act, made in the twelfth year of the reign of his present Majesty, intituled, An act for vesting the manors, lands, and tenements, both freehold and leasehold, comprized in the marriage settlement of Charles Baldwin esquire, in trustees, to be sold; and for laying out the money arising by such sale in the purchase of other lands and hereditaments, to be settled to the same uses which are now substituted with regard to the said freehold settled estate; and for settling the said manors, lands, and tenements, to new and other uses.

95. An act for rendering valid and effectual a partition between Taylor White esquire, and Sarah his wife, and Thomas Fowke esquire, and Ann his wife, of several estates in the counties of Huntingdon, Leicester, Cambridge, Essex, and Kent; and for vesting and settling the same to the uses, and upon the trusts, contained in their respective marriage settlements; and for other purposes therein mentioned.

96. An act for confirming and establishing an exchange agreed to be made between the right honourable George lord Onslow and Cranley, and William Luck gentleman, and Edmund Luck,

his fon.

97. An act for vesting the freehold estates, in the counties of Hereford and Monmouth, devised by the will of Thomas Chamber-

layne esquire, deceased, in Richard Com e esquire, in see-simple; and for settl no other estates of the said Ri a d C m e, in the county of S m rset, of greater value, in heu thereof.

98. An act for divid ng, allotting, and inclosing, a certa n common or waste ground, called Halton Moor, in the township of Ha n, in the manor of Te plenewsam, in the parish of Whit-

ki ke, in the west riding of the county of York.

99. An act for dividing and inc ofing the open and common fie ds, common mead ws, common pastures, and waste lands, within the manor and parish of Great Sturton, in the county of Lincoln.

100. An act for dividing, allotting, and incl fing, certain commons or waste grounds, within the several townships of Kingsley, Newton near Kingsley, Norley, and Crowton, in the parishes of F odsham and Weaverham, in the county of Chester.

H milton and dame C therine his wife in trustees, to sell or exchange the same; and for laying out the money to ari e by sale thereof, in the purchase of other messuages, lands, or hereditaments, to be settled to the same uses.

quire, in the c unty of Flnt; and for investing the money in

the purchase of other estates, to be settled to the same uses.

for a part tion or d v sion of lands and hered taments, in the counties of Northampton and Warw k, th estates of f hn Carke esquire, and Mary his late w se, deceased, and f r settling the same to the u es there n ment ned.

arab e lands, meadows, commons, and waste grounds, with n

the manor of Kil marsh, in the c unty of Der y.

and common fields, and other commonable lands a d grounds, of and wi hin the several parishes and I berties of Whit, Nr-

, and B ock al, or in some or one of them, in the county of ampt n.

1 6. A act f r divid ng and incloting the c mmon fields, common mea ow, p stures, and comm n d wns, in the parishes of Shr n and Windiu, in the county of G u str.

1 7. An act for ding a dincling the comm n and open fields, comm n mead ws, a dc mm n pastures in the manor and paish Graf on Und rwood, in the county of Northampto.

108. An act for dividing and inclosing the open and common fields, mead w, pastures, sens, heath, and w ste ands, wth n the manor and p r sh f Met eringham, in the county of Li c n.

109. An at for d viding and inclosing certa n open comm n fields, meadows, a d other commonable lands and rounds, with n the parish of Cand Sby, in the county of Linco n.

waste lan s, and a st nted pasture, in the townsh p of Newsbam, in the north rid n of the county of York.

fields, c nmon pastures, 1 gs, comm n, and other waste lands and g ou ds, wi h n the t wnst p and man r of Ba mby upon te M r, n the east riding of the county of Yrk.

112. An act for div di and in losing sever l'open common arable siel s, wolds, c mm ns, and wast grounds, n the t wn-th ps of N rib New d nd S Vew ald, within the parish of

N rth New ald, in the county of Y rk.

fields, c mm n past res, common me dows, and other common nabe lands a d gr inds, of and w thin the manor, parish, and I bert s of A. est, i the county of N rehampton.

fields, me dow and pasture rounds, and the comm n or moor, within the township of T orn or, in the parish of F in, in the

north riding of the county of Y , k.

dows, common pastures, forest, and waste grounds, in the parish of Farnsfield, in the county of No tingham.

116. An act for dividing and inclosing certain open fields, meadows, commons, and waste grounds, in the parish of

Brampton, in the county of Lincoln.

117. An act for dividing and inclosing the open fields, meadows, commons, and waste grounds, within the parishes of Halam and Edingley, in the c unity o Nottingham.

118. An act for dividing and inclosing the open and common fields, comm nable lands, and waste grounds, within the manor

and parish of Leaden m, in the county of Linco n.

open and common fields, common meadows, common pastures, downs, c mmons, and other commonable lands, with n the town h p of Uffin ton, and the ham ets of Ba king and W o lon, otherwie Woolve star, and within the hamlets of King ston L ste and Fawer in the county of Be k

120. An act for div d ng and inclosing the common fields, mesne ne osures, e mmon, r waste grounds, within the townsh p of Monkbretton otherwise Burton, in the parish of R y-

flo ie, in the west rid ng of the co nty of Yo k.

121. An act for dividing and no fing the open and common fillds, and certain common alie lands, with in the parsh of Farmbor ugb otherwe Far o, in the country of Be k.

field and comm n e gr inds with n the parth of Gi morton,

in the county f L 1 ler

and c mm is to ds, com n nable lands, cow p sture, shrub, towngreen, heath, and waste grown s, with n the mano a d par sh of I il n C v le, in le county f C mb de.

or with grunds, with me s, c mmo s, or with grunds, with me s t B is ur, Hr i, s mard 'e used, liefte L zfe, a d S nugra n Vol XXXI c

the fields, or some of them, in the county of Salop.

fields, common meadows, common pastures, and other common monable grounds, in the tithings or liberties of Ramsbury Town, Park Town, Whittonditch, Eastridge, and Boydon, within the manor of Ramsbury, in the county of Wilts.

126. An act for dividing, allotting, and inclosing, the open fields, common pastures, and moor, or common, in the parish

of Bulmer, in the north riding of the county of York.

wife Corveton Wood or Common, within the manor of Corfton otherwise Corveton, and parish of Diddlebury, in the county of Salop; and for making a boundary or ring-fence against a certain open and uninclosed ground, in the manor of Corpbam, within the same parish.

128. An act for dividing, allotting, and inclosing, the open and common fields, common passures, common meadow, and other commonable lands and grounds, of and within the manor

and parish of Mears ashby, in the county of Northampton.

dows, pastures, commons, and waste grounds, within the parish of Bleasby, in the county of Nottingham.

130. An act for dividing and inclosing the several commons and waste grounds, within the manor and parish of Ipstones, in

the county of Stafford.

131. An act to dissolve the marriage of George Carpenter esquire, earl of Tyrconnel in the kingdom of Ireland, with the right honourable lady Frances Manners, his now wife, and to enable him to marry again; and for other purposes therein mentioned.

- other sons, and their issue male, to take, use, and bear, the name and arms of Naper, pursuant to the will of James Lenox Dutton esquire, deceased; and for making the exemplification of the will and codicil of the said James Lenox Dutton, under the great seal of Great Britain, evidence in all courts of law and equity in Great Britain and Ireland.
- 133. An act to enable Isaac Martin Rebow esquire, to take and use the surname of Martin, pursuant to the will of Matthews Martin esquire, deceased.

134. An act for naturalizing Maria Perry.

135. An act for naturalizing Charles Morris Klanert.

hold and copyhold estates, late of Dame Elizabeth Pettus, deceased, in trustees, to convey and surrender the same respectively, pursuant to an agreement for the sale thereof; and for laying out the money in the purchase of other lands and hereditaments, to be settled to the like uses.

137. An act for dividing, allotting, and inclosing, several commons, moors, or waste grounds, and open common sields, in the township of Barnsley, within the parish of Silkston, in the

equity of York.

338. An act for dividing and inclosing the common fields, common meadows, stinted pasture, and commonable lands,

within the parith of Earl Steke, in the county of 117/15.

and common fields, common meadows, common passures, and other commonable grounds, in the manor and parish of Ashiou Keynes, in the county of Wilts.

140. An act for dividing and inclosing the common fen, common marsh, common fields, and waste grounds, in the pa-

rish of Surfleet, in the county of Lincoln.

141. An act for dividing and inclosing the several open common fields, meadows, pastures, commons, and waste grounds, within the townships of Cantley, Brampton, Bestacarr, and High Ellers, within the several manors of Brampton and Bestacarr, in the parish of Cantley, in the west riding of the county of Yark.

142. An act for dividing and inclosing the several open fields, carrs, ings, or meadow grounds, and commons, or waste grounds, within the townships of Melbourn and Storthwaite, within the manor of Melbourn with Storthwaite, in the parish of Thornton,

in the east riding of the county of York.

143. An act for dividing and inclosing the common or waste ground, called Shapwick Moor or Shapwick Turf Moor, in the parish of Shapwick, in the county of Somerset.





A

# T A B L E

OF THE

# STATUTES

# PUBLICK and PRIVATE,

Passed Anno decimo sexto

# GEORGII III. Regis.

Being the Second Session of the Fourteenth Parliament of Great Britain.

### PUBLICK ACTS.

Cap. 1. POR continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and seventy-fix.

Cap. 2. For punishing mutiny and desertion; and for the

better payment of the army and their quarters.

Cap. 3. To enable his Majesty for a limited time to call out and assemble the militia in all cases of rebellion within this realm of Great Britain, or any of the dominions thereunto belonging; and to summon the parliament in the cases and manner therein mentioned.

Cap. 4. For granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thou-

fand seven hundred and seventy-six.

Cap. 5. To prohibit all trade and intercourse with the colonies of New Himpshire, Massachuset's Buy, Rhode Islams, Connecticut, New York, New Fersey, Pensylvania, the three lower counties on Delaware, Maryland, Virginia, North Carelina, Scuth Carelina, and Vol. XXXI.



Georgia, during the continuance of the present rebellion within the said colonies respectively; for repealing an act, made in the fourteenth year of the reign of his present Majesty, to discontinue the landing and discharging, lading or shipping, of goods, wares, and merchandize, at the town and within the harbour of Boston, in the province of Massachuset's Bay; and also two acts, made in the last session of parliament, for restraining the trade and commerce of the colonies in the said acts respectively mentioned; and to enable any person or persons, appointed and authorised by his Majesty to grant pardons, to issue proclamations, in the cases, and for the purposes therein mentioned.

Cap. 6. For giving a publick reward unto such person or persons, being his Majesty's subject or subjects, as shall discover a northern passage for vessels by sea, between the Atlantic and Pacific oceans; and also unto such as shall first approach by sea

within one degree of the northern pole.

Cap. 7. For the regulation of his Majesty's marine forces

while on thore.

Cap. 8. For making perpetual so much of an act, made in the eighth year of his present Majesty's reign, intituled, An act to continue and amend an act, made in the fifth year of the reign of his present Majesty, intituled, "An act for importation of salted beef, "pork, bacon, and butter, from Ireland, for a limited time; and for allowing the importation of salted beef, pork, bacon, and butter, from the British dominions in America, for a limited time;" as relates to the importation of salted beef, pork, bacon, and butter, from Ireland: and also another act, made in the fifth year of his present Majesty's reign, intituled, An act to permit the free importation of cattle from Ireland.

Cap. 9. For the better relief and employment of the poor

within the hundred of Foreboe, in the county of Norfolk.

Cap. 10. To enable his Majesty to make leases, copies, and grants of offices, lands, and hereditaments, parcel of the dutchy of Cornwall, or annexed to the same; and for other purposes therein mentioned.

Cap. 11. To continue an act made in the last session of parliament, intituled, An act to amend and render more effectual in his Majesty's dominions in America an act, passed in the present session of parliament, intituled, "An act for punishing mutiny and desertion, and for the better payment of the army and their quarters;" and for extending the provisions of the said act to his Majesty's marine forces in America.

Cap. 12. To continue, for a further time, an act, made in the seventh year of his present Majesty's reign, intituled, An act to discontinue, for a limited time, the duties payable upon the importation of tallow, bogs-lard, and grease.

Cap. 13. For the better fecuring a fund, belonging to certain persons of the theatre royal in Drury-lane, applicable to charita-

ble uses; and for other purposes therein mentioned.

Cap. 14. For rectifying mistakes in the names of several of the



commissioners appointed by an act, made in the last session of parliament, to put in execution an act made in the same session, intituled, An act for granting an aid to his Majerty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven bundred and seventy-five; and for appointing other commissioners, together with those named in the first-mentioned act, to put in execution an act of this fession of parliament, for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and seventy-fix.

Cap. 15. For the better maintaining, regulating, and employing the poor within the parish of Saint George, in the county of Middlefex; and for cleanfing and lighting the squares, streets, lanes, alleys, courts, yards, and other open paffages and places; and for keeping and regulating a nightly watch within such parts of the said parish as are not within the liberty of the tower of

London.

Cap. 16. For enlarging the term and powers, granted by three acts of parliament, for laying a duty of two pennies Scots upon every pint of ale and beer brewed and vended within the town of Dundee, and the liberties and suburbs thereof, for the purpofes in the said acts mentioned.

Cap. 17. For building a bridge across the river Severn from Benthall, in the county of Salsp, to the opposite shore at Madeley Wood, in the faid county; and for making proper avenues or

toads to and from the fame.

Cap. 18. For enlarging the term of letters patent granted by his present Majesty to Elizabeth Taylor of the town of Southampton, widow, for the sole use and exercise of certain engines, tools, instruments, and other apparatus, for making blocks, sheavers, and pins, used in the rigging of thips.

Cap. 19. For defraying the charge of the pay and cloathing of the militia in that part of Great Britain called England, for one year, beginning the twenty-fifth day of Marce, one thousand

feven hundred and feventy-fix.

Cap. 20. For the better supply of mariners and seamen to ferve in his Majesty's ships of war, and on board merchant ships,

and other trading thips and veffels.

Cap. 21. To amend an act, pailed in the third year of his late Majesty's reign, intituled, An act for making not mable the river Stroudwater, in the county of Gloucester, from the river Severn, at or near Framiload to Wallbridge, near the town of Stroud, in the same county; and for giving other powers, for the purpose of making a navigation from Framiload to II allored aforefaid.

Cap. 22. For rebuilding the parith church of Turdebigs, in the

counties of Worcester and Warwick.

Cap. 23. For the better regulation and government of the pilots conducting thips and vetiels into and out of the port of Boston, in the county of Lincoln; and for affixing and setting down mooring-posts upon the banks or high marshes within or 2 2



affixing and laying down bridges over the creeks upon the high marshes within or adjoining to the said haven and harbour; and for preventing mischiefs by fire in the said haven and harbour; and

Cap. 24. For vesting certain estates, now held in trust for the benefit of the royal hospital for seamen at Greenwich, in the commissioners and governors of the said hospital, incorporated

by his Majesty's letters patent.

Cap. 25. For lighting and watching the streets, lanes, and other publick passages and places, within the borough of Boston, in the county of Lincoln; and for removing and preventing nui-

sances, annoyances, and obstructions therein.

Cap. 26. For lighting and watching the villages of Camberwell and Peckham, in the county of Surrey, and certain roads therein mentioned leading thereto; and for establishing a foot patrole between Peckham and Blackman-street in the borough of South-wark.

Cap. 27. For better cleanfing, lighting, and watching the streets, lanes, and other publick passages, within the borough of Dorchester, in the county of Dorset, and in the tithing of Colliton-row, in the town of Dorchester aforesaid; for paving the sootways and repairing certain horseways of such parts thereof as are turn-pike; and for paving the sootways and repairing the horseways of such parts thereof as are not turnpike; for removing nuisances, annoyances, and obstructions therein; and for preventing houses or buildings, hereafter to be erected in the said borough and tithing, from being thatched.

Cap. 28. For making and maintaining a navigable canal from or near the town of Stourbridge, in the county of Worcester, to join the Staffordshire and Worcestershire canal, at or near Stourton, in the county of Stafford; and also two collateral cuts, one from a place called The Fens upon Pensnet-chace, to communicate with the intended canal near the junction of Wordesley-brook with the river Stour; and the other from a place called Black Delph, upon the said chace, to join the first-mentioned collateral cut at or near certain lands called The Lays, in the parish of Kingswinsord,

in the faid county of Stafford.

Cap. 29. For vesting in John Liardet, clerk, his executors, administrators, and assigns, the sole use and property of a certain composition or cement of his invention, throughout his Majesty's kingdom of Great Britain, and in the colonies and plantations abroad, for a limited time.

Cap. 30. More effectually to prevent the stealing of deer, and

to repeal several former statutes made for the like purpose.

Cap. 31. For securing a fund belonging to certain persons of the theatre royal, Covent-garden, applicable to charitable uses;

and for other purposes.

Cap. 32. To enable the company of proprietors of the navigation from the *Trent* to the *Mersey*, to make a navigable canal trom the said navigation, on the south side of *Harecastle*, in the county



county of Stafford, to Frogball, and a rail-way from thence to or near Caldon, in the faid county; and to make other rail-

ways.

Cap. 33. To remove the danger of fire amongst the ships in the port of Bristol, by preventing the landing certain commodities on the present quays; and for providing a convenient quay and proper places for landing and storing the same; and for regulating the said quay, and the lighters, boats, and other vessels carrying goods for hire within the said port of Bristol; and for other purposes therein mentioned.

Cap. 34. For granting to his Majesty several duties on coaches, and other carriages therein mentioned; and several rates and duties upon indentures, leases, bonds, and other deeds; and upon cards, dice, and newspapers; and for raising the sum of two millions by annuities, and a lottery to be attended with an-

nuities.

Cap. 35. For raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand seven hundred and seventy-six.

Cap. 36. For the encouragement and improvement of the pilchard-fishery carried on within the bay of Saint Ives, in the

county of Cornwall.

Cap. 37. For allowing the exportation of certain quantities of wheat, and other articles, to his Majesty's sugar colonies in Amcrica, and to the island of Saint Helena, and to the other settlements belonging to the united company of merchants of England trading to the East Indies, and of biscuit and pease to Newfoundland, Nova Scotia, Bay Chaleur, and Labrader; and for indemnifying all persons with respect to advising or carrying into execution his Majesty's orders of council already made for allowing the exportation of wheat, and other articles.

Cap. 38. For the relief of insolvent debtors; and for the relief

of bankrupts, in certain cases.

Cap. 39. For repealing a clause in an act, made in the thirteenth year of the reign of his present Majesty, intituled, An act to explain, amend, and reduce into one act of parliament, the general laws now in being for regulating the turnpike roads in that part of Great Britain called England, and for other purposes; which relates to the countersinking of the tire of the wheels of all waggons, wains, and other carriages, to be used on turnpike roads; and for explaining a provision in the said act, with respect to the selection and tire of carriages having the fellies of the wheels of the gauge of six inches or upwards.

Cap. 40. For obliging the overfeers of the poor, within the feveral parishes and places within that part of Great Britain called England, to make returns, upon oath, to certain questions, specified in the act, relative to the state of their poor; and to authorise and require the justices of the peace, within their respective divisions and jurisdictions, in the several counties and cities in England and Wales, to take such returns upon oath,

and



and to cause them to be transmitted to the clerk of the parliaments.

Cap. 41. For granting a bounty upon flax seed, the growth of the United Provinces, or of the Austrian Netherlands, imported into

Ireland, for a limited time.

Cap. 42. For allowing corn, grain, and flour, imported into the port of Preston, to be landed without payment of the duties, under the like restrictions as corn, grain, and flour is allowed to be landed at the several ports mentioned in an act, made in the thirteenth year of the reign of his present Majesty, intituled, An att to regulate the importation and exportation of corn.

Cap. 43. To authorise, for a limited time, the punishment by hard labour of offenders who, for certain crimes, are or shall become liable to be transported to any of his Majesty's colonies

and plantations.

Cap. 44. For suspending for a limited time, so much of an act, made in the thirteenth year of his present Majesty's reign. intituled, An act to explain, amend, and reduce into one act of parliament, the general laws now in being for regulating the turnpike roads in that part of Great Britain called England, and for other purpofes, as is to subject carriages having the fellies of the wheels thereof of less breadth or gauge than fix inches, to the payment of double tolls; and for vacating contracts for leafing tolls.

Cap. 45. For enabling his Majesty to raise the sum of one

million, for the uses and purposes therein mentioned.

Cap. 46. To enable the commissioners of his Majesty's treafury to order and allow, out of the money arising by the coinage duty, a certain sum therein mentioned, for the expence of profecuting offenders against the laws relating to the coin, over and above the fum yearly allowed for that purpose.

Cap. 47. For the further encouragement of the whale fishery carried on from Great Britain and Ireland, and the British dominions in Europe; and for regulating the fees to be taken by the

officers of the customs in the island of Newfoundland.

Cap. 48. For allowing further time for the exportation of, or payment of the duties upon bugles, when warehoused upon importation into this kingdom; to impower the commissioners of the customs to order all bonds relative to that revenue, upon which no profecutions have been had for the space of five years, (except bonds for duties, and for the good behaviour of officers in the execution of their duty) to be destroyed; and for repealing the duties upon feather beds imported into this kingdom; and for charging the same with the like duties as are payable upon feathers for beds.

Cap. 49. For granting to his Majesty a certain sum of money out of the finking fund, and for applying certain monies therein mentioned for the service of the year one thousand seven hundred and seventy-six; and for further appropriating the supplies granted in this fession of parliament; for giving further relief to the widows of commission and warrant officers of the royal navy;



and for making forth duplicates of exchequer bills, lottery tickets, certificates, receipts, annuity orders, and other orders, loft,

burnt, or destroyed.

Cap. 50. To indemnify such persons as have omitted to qualify themselves for offices and employments; and to indemnify justices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving surther time for those purposes; and to indemnify members and officers, in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or missaid; and for allowing them time to provide admissions duly stamped; and to give surther time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors.

Cap. 51. For granting further time for allowing the drawback upon the exportation of muslins, and callicoes, imported by the East India company in the years one thousand seven hundred and seventy three, and one thousand seven hundred and seventy-four; for allowing further time to the said company to expose to sale such bohea and single teas and coffee as remained unfold on the fifth day of April, one thousand seven hundred and seventy-six; and also such bohea teas as shall be imported on or before a certain time; and for allowing the drawbacks on the exportation of such teas and coffee; and for granting surther time for allowing the drawback on the exportation of coffee imported in the ship Sbrewsbury, in the year one thousand seven hundred and seventy-three.

Cap. 52. To declare his Majesty's natural-born subjects inheritable to the estates of their ancestors, whether lineal or collateral, in that part of Great Britain called Scotland, notwith-

standing their father or mother were aliens.

Cap. 53. To continue the corporation of the guardians of the poor within the Isle of Wight, and to confirm the powers and authorities now veited in the said corporation, and to provide new powers and regulations for the members of the same; and to repeal an act, passed in the eleventh year of the reign of his present Majesty, intituled, An act for establishing a house or houses of industry in the Isle of Wight, for the reception, maintenance, and employment of the poor belonging to the several parishes and places within the said island.

Cap. 54. To continue an act, made in the fifth year of the reign of his late majesty King George the Second, (intituled, An act to prevent the committing of frauds by bankrupts;) and also an act, made in the fourteenth year of the reign of his present Majesty, (intituled, An act to prohibit the importation of light silver coin of this realm from foreign countries into Great Britain or Ireland, and to restrain the tender thereof beyond a certain sum.

Cap. 55. To enable the trustees of certain charity lands belonging to the poor of Salford, in the county palatine of Lan-

caster, to grant building-leases thereof.



Cap. 56. For supplying the borough and town of Brecknock, and liberties thereof, with water; and for paving, cleanfing, regulating, and lighting, the streets, lanes, and publick passages there; and for widening and making commodious some of the faid streets, lanes, and passages.

Cap. 57. For paving, cleanfing, lighting, and watching, the borough and town of IV symouth and Milcombe Regis, in the county of Dorfet; and for removing all encroachments, obstructions,

and annoyances therein.

Cap. 58. To explain and amend an act made in the twelfth year of his present Majesty, for paving, cleansing, lighting, and watching, the freets and lanes in the town and parish of Chatham, in the county of Kent; and for removing and preventing nuisances and anneyances therein; and to extend the provisions of the said act to such parts of the high-street in Chatham, as are situate in the parishes of Saint Margaret and Gillingham, and to other places adjoining or contiguous to the faid town.

Cap. 59. For lighting and watching the town of Portsmouth, in the county of Scuthampton; and for explaining and amending an act, passed in the eighth year of his present Majesty's reign, for the better paving and cleanfing the streets and other publick passages in the said town, and for preventing nuisances and annoyances therein, and for widening and rendering the same

more commodious.

Cap. 60. To amend and render more effectual an act, made in the eighth year of the reign of his present Majesty, for opening certain passages, and for paving the streets and other places, in the parish of Saint Leonard, Shoreditch, in the county of Middlesex, and for preventing annoyances therein; and for extending the powers of the faid act to such part of a lane, called Hoglane, as lies within the liberty of Norton-Falgate, in the faid county.

Cap. 61. For erecting a lighthouse or lighthouses and landmarks in or pear the port of Chester, and for placing buoys upon the banks and shoals leading into and in the said port; and for regulating of pilots and persons towing or tracking of vesfels to and from the city of Chefter; and for fixing the rates pay-

able for the same respectively.

Cap. 62. To enable the commissioners of sewers for several limits in the eastern parts of the county of Kent, more effectually to drain and improve the lands and grounds within the General Vallies.

Cap. 63. For widening and improving several streets in the town of Mancheffer; and for opening new streets or passages within the faid town.

Cap. 64. For draining, embanking, and preserving, certain fen lands and low grounds called The Parts and Alderlots, in the parishes of Glatten and Hilme, in the county of Huntingdon.

Cap. 65. For making the river Soar navigable, from the river Trent to Btshop's Meadow, within the liberty of Garrenton,



an the county of Leicester; and for making and maintaining a navigable cut or canal from thence, near, or up, and into The

Rushes, at Loughborough, in the faid county.

Cap. 66. For making and maintaining a navigable canal, within and from certain lands, beloning to Thomas Talbot Foley Esquire, in the parish of Dudley, in the county of Worcester, to join and communicate with the Stourbridge navigation, at a place called Black Delph, upon Pensnet-chace, in the parish Kingswin-

ford, in the county of Stafford.

Cap. 67. For enlarging the term and powers of so much of an act, made in the twenty-ninth year of the reign of his majesty King George the Second, intituled, An act for repairing and widening the high reads from Basingstoke through Popham-lane, Sutton, Scotney, and Stockbridge, in the county of Southampton, to a place called Lobcomb-corner in the county of Wilts; and also for repairing and widening the road from Spittlehouse over Weyhill to Mullen's Pond, in the said county of Southampton; as relates to the roads from Basingstoke to Lobcomb-corner in the county of Wilts.

Cap. 68. To enlarge the term and powers of an act, passed in the twenty-second year of the reign of his late Majesty, intituled, An act for repairing the road from the West Cowgate, near the town of Newcastle upon Tyne, through the west end of Kenton, Pont Eland, Higham Dykes, Newham Edge, Belsay Mill, and South Middleton, to the north side of the river Wanspeck, in the

county of Northumberland.

Cap. 69. For continuing the term and varying the powers of two acts, passed in the third and seventeenth years of his late majesty King George the Second, for repairing the road from that part of Chatham which lies next to the city of Rochester, to Saint Dunstan's Cross near the city of Canterbury, in the county of Kent; and for amending and widening the road from the present turnpike road at or near a place called Makenade-corner, in the parish of Preston, to Bagham-cross and Shalmsford-lane-end, in the parish of Chilham, in the said county.

Cap. 70. For continuing the term and enlarging the powers of an act, made in the twenty-eighth year of the reign of his late Majesty, for widening and repairing the road leading from Horsham, in the county of Sussex, through Capel, Dorking, Mickleham, and Leatherhead, to the Watch-house in Ebbisham, in the county of Surry; and from Capel to Stone-street, in the parish of

Ockley, in the Said county of Surry.

Cap. 71. For amending and keeping in repair the road from Doncaster to the turnpike-road which leads from Bawtry to Ret-

ford in the counties of York and Nottingham.

Cap. 72. For enlarging the term and powers of an act, made in the twenty-ninth year of the reign of his majesty King George the Second, intituled, An act for repairing and widening the roads leading from the east side of Lincoln-heath, to the city of Peterbotough; and from the east end of Marham-lane, to the town of



Walton, in the county of Northampton; and from the town of Bourn to the town of Colsterworth; and from Donnington High Bridge, to the cross-post, in the parish of Hacconby; and from the east end of a lane called Haledrove, to and through the town of Old Sleaford, to the end of Long-hedge, in the parish of Quarrington,

in the county of Lincoln.

Cap. 73. For enlarging the term and powers of an act, made in the twenty-ninth year of the reign of his majesty King George the Second, intituled, An act for repairing and widening the road from the White stoop near the north end of the town of Derby, through the towns of Dussield and Chestersield, in the county of Derby, to the town of Shessield, in the county of York; and from the said town of Dussield to the Moot Hall in the town of Wirks-

worth, in the faid county of Derby.

Cap. 74. For enlarging the term and powers of two acts, made in the twenty-fecond and twenty-ninth years of the reign of King George the Second, for repairing the road from Wansford-bridge, in the county of Northampton, to the town and horough of Stamford, in the county of Lincoln, and from Stamford to Bourn in the faid county; and for repairing and widening the road from the north end of the bridge, to a gate called Scotgate in Stamford, and from the termination of the turnpike-road in the parish of Bourn, to the market-cross in Bourn.

Cap. 75. For repairing and widening the road from the Market-cross in the township of Clithero, to Salford-bridge in the

town of Blackbourn, in the county palatine of Lancaster.

Cap. 76. To continue and render more effectual several acts of parliament for repairing the highways leading to Highgate-gate-house and Hampstead, and other roads in the said acts mentioned, in the county of Middlesex; and also to continue and render more effectual, An act to enable the respective trustees of the turnpike-roads leading to Highgate-gatehouse and Hampstead, and from Saint Giles's-pound to Kilbourne, to make a new road from the great northern road at Islington to the Edgeware road near Paddington, so far as the same is by the said act directed to be under the care and management of the trustees of the said first mentioned acts; and for making a road from the said new road, near Queen's-row, to Bagnigge-wash, and for watching, lighting, and watering the said roads.

Cap. 77. To enlarge the term and powers of an act, passed in the twenty-fourth year of the reign of his majesty King George the Second, for repairing the road leading from the town of Ludlow, in the county of Salop, through Woosfferton and Little Hereford, to a place called Monk's-bridge, in the said county; and also from the said town of Ludlow to a place or house called The Maidenhead

at Orleton, in the county of Hereford.

Cap. 78. For continuing the term, and altering, explaining, and enlarging the powers of an act of the twenty-fixth of King George the Second, for repairing and widening feveral roads therein mentioned in the county of Worcester, and for repealing

so much of an act of the seventh year of his present Majesty, as relates to the road from Knightsford-bridge to a certain house at Red Marley, in the parish of Great Witley, in the said county, and for putting the same under the management of the trustees for executing the said first mentioned act; and for amending other roads therein mentioned.

Cap. 79. For continuing and enlarging the terms and powers of two feveral acts of parliament respecting roads near the bo-

rough of Ashburton, in the county of Devon.

Cap. 80. To enlarge the term and powers of an act, passed in the fifth year of his present Majesty's reign, for repairing and widening the road from the Great Bridge in the borough of War-wick, through Southam and Daventry, to the town of North-

ampton.

Cap. 81. To enlarge the term and powers of an act, passed in the twenty-seventh year of the reign of his late majesty King George the Second, intituled, An act for repairing and widening the road from Leicester to Narborough, and from Leicester to Coventry, and from thence through Kenilworth to Warwick, and from thence to Halford Bridge, and from Warwick to Stratford upon Avon, and from Coventry to Martyn's Gutter leading towards Stoneleigh town; and for supplying an omission in an act, passed in the last session of parliament, for repairing the road from Leicester to Ashby-de-la-Zouch, in the county of Leicester; so far as the same relates to the Road from Coventry, through Kenilworth to Warwick, and from the said city of Coventry to Martyn's Gutter.

Cap. 82. To enlarge the term and powers of an act, passed in the twenty-fourth year of the reign of his majesty King George the Second, so far as relates to repairing the road from Tadcaster to Halton-dyal, in the west riding of the county of York.

Cap. 83. For repairing, widening, and altering the road from the termination of the present turnpike road at Elidon High-cross, near the town of Elidon, in the county of Northumberland, on the north-east side of the river Reed, through Overacres, Elishaw, and Catcleugh, to the Red Swyre upon the mid border betwixt England and Scotland.

#### PRIVATE ACTS.

I. A N act for naturalizing Frederick Molling and John George Bindheisen.

2. An act for naturalizing Peter Henry Baleman.

3. An act to enable the right honourable Robert Craggs lord viscount Clare, and the right honourable Wellbore Ellis, to take,

in Great Britain, the oath of office as vice-treasurer, and receiver-general, and paymaster-general, of all his Majesty's revenues in the kingdom of Ireland, and to qualify themselves for the enjoyment of the said offices.

4. An act for naturalizing John Martin Fushs.

5. An act for naturalizing Francis Anthony Rougemont.

6. An act for naturalizing Anthony Ten Brocke.

7. An act for dividing and inclosing certain commons, or pietes of waste ground, in the parishes of Bonfall, Wirksworth, and Matlock, in the county of Derby.

8. An act for naturalizing Nis Nisen and Christopher Gabriel

Marwæde.

9. An act for naturalizing John William Paul and Claes Grill.

10. An act for naturalizing Charles Quift.

taments, in the several counties of Durham, Middlesex, Berks, and Sussex, and in the city of London (part of the freehold and copy-hold estates devised by the will of George Bowes esquire deceased,) in trustees, to be sold or exchanged, and for laying out the money to arise thereby in the purchase of other messuages, lands, tenements, or hereditamenrs, to be settled to the same uses.

12. An act for vesting the advowson of the rectory of Pewfey, in the county of Wilts (part of the estate comprized in the
marriage settlement of Stephen late lord Holland, deceased) in
trustees and their heirs, in trust, to be sold, and for laying out
the money to arise thereby in finishing and compleating a man-

fion-house at Winterflow, in the same county.

13. An act for vesting certain leasehold pieces of ground, in the parish of Saint George, Hanover Square, in the county of Mid-dlesex, together with a capital messuage built on part thereof, devised, by the will of sir John Hales baronet, deceased, in trustees, in trust, to assign the same to Henry Herbert esquire, pursuant to an agreement for that purpose, and for applying the considera-

tion-money in such manner as in the act is mentioned.

Lawrence, in the county of Northampton, and the lands, tenements, and hereditaments thereunto belonging, to and with the payment of two several perpetual yearly rent charges to doctor Everard Buckworth, and his successors in the said prebend; and for divesting the see-simple and inheritance thereof out of him and his successors, and for vesting the same, so charged, in John Blencowe esquire, his heirs and assigns.

15. An act for dividing and inclosing the open fields, meadow, pasture, and other commonable and waste grounds, within the liberties of Gunby and North Witham, in the county of

Lincoln.

16. An act for exchanging certain lands, in the parish and liberties of Spaldwick with Upthrope, for other lands, in the pa-

rish of Long Stow, in the county of Huntingdon, in the manner, and for the purposes therein mentioned.

17. An act for dividing and inclosing certain open common fields, ings, common pattures, and other commonable lands, within the townships of Ajterby and Gouleeby, in the county of Lincoln.

18. An act for dividing and inclosing the open and common fields, and also a certain parcel or tract of common and waste land called The Link, and other common and waste land, within the manor and parish of Leigh, otherwise Ley, in the county of Worcester.

19. An act for dividing and inclosing the open and common fields, meadows, pastures, heath, and waste grounds, within the

parish of Dustou, in the county of Northampton.

20. An act for dividing and inclosing certain open and common fields, common meadows, commonable passures, common grounds, and commonable lands, within the parish of Liddington, and hamlet of Medbourn, in the said parish of Liddington, in the county of Wilts.

21. An act for dividing and inclosing the open and common fields, common pastures, common meadows, and commonable lands, within the township, hamlet, precincts, or liberties of Blackthorn, in the parish of Ambrosden, in the county of

Oxford.

22. An act for dividing and inclosing the open and common fields, in the parish of Desborough, in the county of North-

ampton.

23. An act for dividing and inclosing certain open common fields, meadows, pastures, ings, and other commonable lands and waste grounds, within the parish of Raithby, near Spilsby, in the county of Lincoln.

24. An act for dividing and inclosing the several commons and waste grounds, within the manor of Rushton Spencer, in the

parish of Leek, in the county of Stafford.

25. An act for dividing and inclosing the open fields, meadows, pastures, and commonable grounds, within the township or liberty of Sutten Saint Michael's otherwise Sutten Bonington, commonly called Bonington End, in the county of Nottingham.

26. An act for dividing and inclosing the open and common fields, and other commonable lands, commons, and waste grounds, within the parish of O. lel, in the county of Bedford.

27. An act for dividing and inclosing the open and common field, and other commonable lands and grounds lying within the parish and liberties of Warmington, in the county of Warwick.

28. An act for dividing and inclosing the common or waste ground, called Borcham Wood Common, in the parish of Elstree,

otherwise Idlestree, in the county of Hertford.

29. An act for dividing and inclosing the open fields, mea-

dows, commons, and waste grounds, in the parish of Becking-

ham, in the county of Nottingham.

30. An act for enabling the honourable George Hobart to inclose the heath lands, field lands, and low commons, or fen grounds, in the parish of Noction, in the county of Lincoln; and for vesting the glebe lands, vicarial tithes, and right of common, belonging to the vicarage of Nocton aforesaid, in the said George Hobart, and for making a compensation to the vicar of the said parish in lieu thereof.

31. An act for dividing and inclosing the open fields, meadows, commons, and waste grounds, in the parish of Upton, in

the county of Lincoln.

32. An act for dividing and inclosing the several commons and waste grounds, within the manor of Lea, in the parishes of

Ashover Crich, and Southwinfield, in the county of Derby.

33. An act for dividing, allotting, and inclosing certain commons and waste lands, called Ashwood Hay and Wall Heath, and feveral other parcels of waste lands and commonable places, part and parcel of Ashwood Hay, situate within the manor and parish of King swinford, in the county of Stafford.

34. An act for extinguishing the right of soil and right of common upon certain pieces or parcels of common or waste land, in the manor and parish of Clewer, in the county of Berks; and for vesting the same in his royal highness the duke of Gloucester, his heirs and assigns, upon the conditions therein

mentioned.

35. An act for dividing and inclosing the open and common fields, common meadows, pastures, and commonable and waste lands, within the manor and parilh of Dorsington, in the county of Gloucester.

36. An act for dividing and inclosing the commons or waste grounds, within the vill, hamlet, or township of Little Har-

wood, in the parish of Blackburn, and county of Lancaster.

37. An act for dividing and inclosing the open and common field, and other commonable lands and grounds, lying within the parish and liberties of Alkerton, in the county of Oxford.

38. An act to enable Francis Ferrand Moore esquire, now called Francis Ferrand Foljambe, and his heirs male, to take and use the furname and arms of Foljambe, pursuant to the wills of Francis Foljambe and Thomas Foljambe, esquires, deceased.

39. An act to enable Edward John Andrews Cockayne, and his issue, to take and use the surname and arms of Frith only, pur-

fuant to the will of Neighbour Frith esquire, deceased.

40. An act for naturalizing Charles Godfrey Wolff and John Adam Hecker.

41. An act for naturalizing John Liardet.

42. An act for naturalizing Lewis Vialletes Bastide.

43. An act for naturalizing John Hoffman.

44. An act for vesting several detached parts of the settled estates of sir James Ibbetson baronet, in trustees, to be sold, and

for the application of the money to arise by such sale, and other

purposes therein mentioned.

45. An act for impowering Richard Hoare esquire, the surviving trustee named in the will of Mary Arnold, his heirs, executors, administrators, or assigns, to make sale of a certain copyhold messuage or tenement at Hampstead, in the county of Middlesex, with the appurtenances, and the household goods and surniture thereunto belonging, vested in him by the said will, upon certain trusts therein expressed; and to invest the money, to arise by such sale, in the purchase of lands or tenements, to be settled in like manner.

46. An act for dividing and inclosing the open and common fields, in the parishes and liberties of Hartwell and Stone, in th

county of Bucks.

47. An act for ascertaining the landed property as well of the reverend the dean and chapter of the cathedral church of Christ and the Blessed Mary the Virgin at Worcester, as of others, situate in the hamlet of Charlton, in the parish of Cropthorn, in the county of Worcester; and for dividing and inclosing the open common fields, and other commonable land, within the same hamlet.

48. An act for dividing and inclosing the open and common fields, and other commonable lands, in the hamlets of Barton and Martcleeve, in the parish of Bidford, and county of Warwick.

49. An act for dividing and inclosing the open and common fields, and all other commonable land within the parish of Great

and Little Hampton, in the county of Worcester.

50. An act for dividing, allotting, and inclosing, the common fields, common meadows, and other commonable lands, in the manor and parish of North Hinksey, otherwise Ferry Hinksey, in the county of Berks.

51. An act for dividing and inclosing a certain common and waste grounds, within the parish of Brougham, in the county of

Westmoreland.

52. An act for dividing and inclosing the open and common fields, and commonable grounds, within the parish of Brunting-

53. An act for dividing, apportioning, and inclosing the open and common fields, commonable lands, and waste grounds, within the manor and parish of Nettleham, in the county of

54. An act for vesting part of the estates devised by the will of Sarah Owen, spinster, deceased, in the counties of Salop, and Montgomery, on trustees, to be sold; and for laying out the money arising by such sale, in the purchase of other messuages, lands, and hereditaments, to be settled, in lieu thereof, to the like uses.

55. An act for discharging part of the estate of Nicholas IV riggles worth, and Ayscogke Wriggles worth, his eldest son, from the payment of a yearly sum of thirty-five pounds, given by sir Ed-

Edward Barkham, long fince deceased, to charitable uses, and of and from other incumbrances; and for charging the same respectively upon a competent part of the estates of the said Nicholas Wrigglesworth and his son; and for vesting the residue thereof in trustees, to be sold, for the payment of debts, and other the purposes therein mentioned.

56. An act for fettling certain messuages, lands, and hereditaments, in the parishes of Saint Mary le Bone and Saint Pancras, or one of them, in the county of Middlesex, to the uses agreed to be thereof limited, in the settlement made on the marriage of Jacob Hinde esquire, with Anne Thayer, now Anne Hinde, his wife, with power to make such leases thereof as in the said act

are mentioned.

57. An act for vesting a leasehold messuage, in Grosvenorsquare, in the parish of Saint George Hanover-square, in the county of Middlesex, bequeathed by the will of Edward Rudge esquire, deceased, in trustees, to be sold, and other the purposes therein mentioned.

58 An act to enable William Clayton esquire, during his life, and the guardians of his infant children after his decease, to make building and improving leases of certain lands and premises, part of the manor of Kennington, in the county of Surrey, held by letters patent from his Majesty, as part of the duchy of Cornwall; and to raise money for payment of the fines and expences of renewing the faid letters patent, and for defraying the expences to attend the granting such building and improving leafes.

59. An act for vesting part of the settled estates of John Newnham esquire, in the counties of Huntingdon, Middlesex, and Suffex, and in the cities of London and Canterbury, in trustees, to be fold; and for purchasing other estates, in lieu thereof, to be

lettled to the same uses.

60. An act to discharge certain lands, heretofore part of the estate and inheritance of Thomas Eyre, esquire, deceased, situate within the lordship of High Peak, in the county of Derby, from the payment of a certain fee farm rent of one hundred pounds a year; and for securing the same on other parts of the said estate.

61. An act for enabling the trustees named in the will of William Sterne deceased, to sell and convey a leasehold estate, vested in them by the said will, upon certain trusts therein mentioned, to George Hodgkinson esquire, pursuant to articles; and to lay out the money arising by such sale in the purchase of other

lands or hereditaments, to be fettled to the like uses.

62. An act for enabling Christopher Sykes esquire, to raise money by way of charge or mortgage upon divers lands and grounds, in the parish of Sledmere, in the county of York, part of the settled estates of the said Christopher Sykes, on the improvement intended to be made by him thereof; and for limiting a rent charge thereout to Elizabeth Sykes his wife, in lieu of her



life estate in part of the same lands and grounds, and for other

purposes therein mentioned ...

63. An act for dividing, allotting, and inclosing, the open undivided common fields and common pastures, within the several townships of Stonegrave, Westness, and Nunnington, in the north riding of the county of York.

64. An act for dividing and inclosing a common, or moor, called Wooller Common, in the parish of Wooller, in the county of

Northumberland.

65. An act for dividing and inclosing the open and common fields, and other commonable lands and grounds, in the parish of Ickleford, in the county of Hertford.

66. An act for dividing, inclosing, and improving the waste and common grounds in the township of Stainburne, in the parish

of Kirby Overblow, in the county of York.

67. An act for dividing and inclosing the open arable fields, meadows, and pastures, within the township of Sutton upon Der-

went, in the east riding of the county of York.

68. An act for dividing and inclosing the open and common fields, common pastures, common meadows, and other commonable lands and grounds, of and within the manor and parish of Walgrave, in the county of Northampton.

69. An act for dividing and inclosing the open and common fields, common pastures, common meadows, and other commonable lands, of and within the parish, and liberties of Yelver-

tost, in the county of Northampton.

70. An act for dividing and inclosing the open and common fields, common pastures, common meadows, and other commonable lands, within the parish and liberties of Clipston and Newbold, otherwise Nobald, in the county of Northampton.

71. An act for dividing and inclosing certain open fields, meadows, stinted common pastures, free commons, and waste grounds, within the townships of Clarebrough and Welham, in

the parish of Clarebrough, in the county of Nottingbam.

72. An act for dividing and inclosing the open and common fields, common pastures, common meadows, and other commonable lands, within the parish and liberties of Great Bowden, in the county of Leicester.

73. An act for dividing and inclosing certain open and uncultivated lands and tracts of waste ground, called Growcombe, Heathfield, and Heddon, and parcel of Quantock Hills, within the

parish of Crowcombe, in the county of Somerset.

- 74. An act for dividing and inclosing several open common fields, woods, and average grounds, ings, marshes, carrs, commons, and other waste lands, and grounds, within the several manors and parishes of Cawood and Wistow, in the county of York.
- 75. An act for dividing and inclosing certain open fields, lands, and grounds, within the lordships and parish of South and North Kellingholme, in the county of Lincoln.

Vol. XXXI.

76. An act for dividing, allotting, and inclosing of the common fields, half-year inclosures, heaths, brooms, breaches, commons, and waste lands, within the parish of Coney Weston, in the county of Suffolk.

77. An act for dividing and inclosing the open or common fields, common moors, common meadows, common pastures, and other commonable lands, within the parish of Iston, in the

county of Monmouth.

78. An act for dividing and inclosing the common arable fields, common meadows, common pastures, moors, commons, and waste grounds, in the manor of Mulgrave, within the parish of Lyth, in the north riding of the county of York.

79. An act for dividing, allotting, and inclosing, the open and common fields, common pastures, common meadows, and other commonable lands and grounds, of and within the manor and

parish of Yardley Hastings, in the county of Northampton.

80. An act for dividing and inclosing the common arable fields, commons, and waste grounds, within the manor and township of Amotherby, in the parish of Appleton in the Street, in the north riding, of the county of York.

81. An act for dividing and inclosing the several open and common fields, common heath, common pasture, and waste grounds, within the manor and parish of Welby, in the county

of Lincoln.

82. An act for dividing, allotting, and inclosing, a certain common or uninclosed piece or parcel of commonable land or ground, within the manor or parish of West Horndon, in the county of Esex.

83. An act to confirm and establish the division and inclosure of an open arable field, in the parish of Screveton, in the county of Nottingham; and also several exchanges of lands within the

faid parish.

84. An act to dissolve the marriage of John Elliot doctor in physick, with Grace Dairymple his now wife; and to enable him to marry again; and for other purposes therein mentioned.

85. An act to diffolve the marriage of Charles Horneck esquire, with Sarah Keppel his now wife; and to enable him to marry

again; and for other purposes therein mentioned.

86. An act to dissolve the marriage of Thomas Williams with Ann Lantware his now wife; and to enable him to marry again;

and for other purposes therein mentioned.

87. An act to amend an act, made and passed in the sourteenth year of his present Majesty's reign, intituled, An act to enable John Medows the elder, gentleman, and his issue male, to take the surname and arms of Theobald, pursuant to the will of Elizabeth Theobald widow, deceased; and also to enable John Medows, eldest son of the said John Medows, (now John Theobald) and the heirs of his body, to take the said surname, and bear the said arms of Theobald.

88. An act for naturalizing Henry Lawrence Zinck.



89. An act for naturalizing John Alexander De Morsier.

90. An act for naturalizing Engelbert Mu'hausen.

91. An act for naturalizing Marie Magd laine Chevalier.

92. An act for vesting in trustees the settled estate of the most noble Peregrine duke of Ancaster and Kesteven, in the county of York, to discharge incumbrances affecting the same, and other part of the said settled estates; and for purchasing of estates, to be settled to the several uses therein mentioned.

93. An act for vesting the free school house, dwelling-house for the master and usher, close, and other premises the eto belonging, in Courtenhall, in the county of Northampton, in sir IVilliam IVake baronet, and his heirs, upon the conditions therein mentioned.

94. An act for the sale of the estates of sir Charles Whitwerth, in the county of Somerset; and for exonerating the same, and his estates in the county of Kent, from the portions of his younger children, provided by his marriage settlement.

95. An act to enable IViliam Wasterman and Thomas Francis, equires, to make a title to certain leasehold and copyhold estates

of Thomas Nuthall esquire, deceased.

96. An act for sale of part of the estates late of John Leigh esquire, deceased, for payment of mortgages, and other debts, to which the said estates are liable; and for other purposes therein mentioned.

97. An act for vesting the settled estates of Ribert Dilman esquire, and Robert Dolman the younger, in Pocklington and elsewhere, in the county of York, in trustees, to be sold; and for laying out the money arising by such sale in the purchase of other lands and hereditaments, to be settled, in lieu thereof, to the same uses

98. An act for vesting an estate in the county of Middiesex, which was settled by Richard Onstate esquire, deceased, on his marriage with Poolley Walton, in trustees, in order that the same may be conveyed to Matthew Winter and his heirs, pursuant to an agreement made by him for the purchase thereof; and for investing the purchase money in three per centum consolidated bank annuities; and for other purposes therein mentioned.

99. An act for confirming the settlements made by Charles Vere Dashwood esquire, in satisfaction of certain articles entered into by him previous to his marriage, and during his infancy; and for other purposes therein mentioned.

gentleman, in the county of Aliddlefex, and city of London, in trustees, to be fold; and for purchasing other lands and here-diaments, to be settled to the same uses.

Standspe Majon, gentleman, deceased, in England and Ireland, in trustees, to be fold; and for purchasing other citates, to be settled in lieu thereof.

of Exning, in the county of Suffolk, esquire, deceased, in trustees, to be sold; and for purchasing other estates, to be conveyed to the like uses; and for other purposes therein mentioned.

non fields, downs, and commonable grounds, in the tithings or liberties of Eastbury, otherwise Isbury, and Blagrove, in the parish

of Chipping Lamborne, in the county of Berks.

fields, common pastures, common meadows, and other common able lands, of and within the parish and liberties of Crick, in the

county of Northampton.

fields, common pastures, common meadows, and other commonable lands and grounds, of and in Over Weedon Beck and Nether Weedon Beck, within the parish and liberties of Weedon Beck, in the county of Northampton.

106. An act for dividing and inclosing certain open common fields, stinted pastures, and common moors or waste grounds, within the manor and parish of Corbidge, in the county of Nor-

thumberland.

107. An act for dividing and inclosing the open arable fields, meadows, pastures, carrs, and other open lands and grounds, within the township of Foston, in the east riding of the county of York.

108. An act for dividing and inclosing the several open fields, common pastures, common and other waste lands and grounds,

within the township of Bilton, in the county of York.

109. An act to dissolve the marriage of sir Thomas Charles Bunbury baronet, with the right honourable lady Sarah Lenox his now wife; and to enable him to marry again; and for other purposes therein mentioned.

of the most noble George duke of Saint Albans in him, and for

other purposes therein mentioned.

- riage settlement of Thomas lord Montfort, situate in the counties of Cambridge and Suffolk, and the woods, underwoods, timber, and other trees, growing and being thereon, in trustees, and their heirs, in trust, to be sold and disposed of in manner therein mentioned; and for applying the monies to arise by sale thereof in the manner therein also mentioned.
- 112. An act for the sale of a leasehold estate, late belonging to sir John Abdy baronet, deceased, at Bishop's Canning, in the county of Wilts, and of timber trees growing on his estates in the county of Essex, and also of his medals and coins, for paying off and discharging certain incumbrances affecting his real estates in Essex; and for laying out the residue of the monies arising by such sale in the purchase of lands, to be settled to the same uses as his estates in Essex now stand settled by his will.



113. An act for applying the money to arise by sale of certain messuages, situate in Cheapside, in the city of London, devised by the will of Edmund Estcourt esquire, deceased, to trustees, to be sold, in the building a mansion-house upon the settled estates late of the said Edmund Estcourt, at Shipton Moyne and Dovel, in the county of Gloucester, together with the materials of the antient mansion house now standing thereon.

114. An act for vesting the settled estates of Peter John Hey-wood esquire, in the Isle of Man, called The Nunnery, in trustees, to be sold; and for laying out the money arising by such sale in the purchase of lands and hereditaments, in that part of Great Britain called England, to be settled in lieu of the said estates in

the Isle of Man, intended to be fold.

hereditaments, in the several counties of Middlesex, Surrey, Southampton, and Norfolk, the freehold, copyhold, and leasehold estates, late of John Albert Bentinck esquire, deceased, in trustees in trust, to sell, mortgage, or exchange, any part or parts thereof; and for applying the money to arise thereby in discharging incumbrances, and making buildings and improvements on the said estates, and in compleating purchases of lands agreed for by the said John Albert Bentinck, and for other purposes; and for laying out the residue of such money in the purchase of other manors, lands, or hereditaments, to be settled to the same uses as are now substituting concerning the same.

pilton esquire, at Wighill, in the county of the city of York, in the said Henry Stapilton, in fee simple; and for settling in lieu thereof other lands and hereditaments of the said Henry Stapilton, lying contiguous to, and interspersed with, the remainder of the said settled estates, and also the tithes thereof and of

fuch remainder, to the same uses.

117. An act to enable certain persons, during the successive minorities of sir William Molesworth baronet, and his brothers, to grant leases of the estates devised to them by the will of sir William Morice baronet, deceased.

118. An act for vesting certain estates in the counties of Wilts and Somerset, late belonging to John Smith esquire, deceased, in trustees, to be sold for payment of his debts, and for other pur-

pofes therein mentioned.

and barony of Corsemichael, called Greenlaw, and others, lying in the stewartry of Kirkcudbright, to and in favour of Isabel Gordon of Culvennan, widow of William Gordon of Greenlaw esquire, for her life, and to and in favour of Alexander Gordon of Culvennan esquire, her eldest son, and the same series of heirs, in see tail, and under the same conditions and limitations as are mentioned and contained in a deed of entail, made in the year one thousand seven hundred and forty-two, by John Macculloch of Burbelm, and Jean Gordon his wise; and for vesting in the aforesaid Alexander

Garden



Gordon and his heirs and assigns, in see simple, the estate of Culvennan, and others, lying in the county of Wigton, together with the sum of one thousand nine hundred and seventy-one pounds sterling.

120. An act to enable John Whitfield esquire, to charge part of his settled estates in the county of Northampton, in the manner

therein mentioned.

121. An act to enable the rector of the parish church of Hatherop, in the county of Gloucesier, to exchange part of his glebe lands there, for other lands more conveniently situated, the property of Samuel Blackwell esquire, in the hamlet of Williamstrip, adjoining to the said parish of Hatherop.

122. An act to dissolve the marriage of the reverend John Jenkins clerk, with Mary Jenkins his now wife; and to enable him to

marry again; and for other purposes therein mentioned.

END of the TABLE.

# STATUTES at Large, &c.

Anno regni GEORGII III. Regis, Magnæ Britanniæ, Franciæ, & Hiberniæ, decimo quinto.

A T the parliament begun and bolden at West-minster, the twenty-ninth day of November, Anno Domini 1774, in the fifteenth year of the reign of our sovereign lord GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. Being the first session of the fourteenth parliament of Great Britain.

#### CAP: I.

An all to allow the importation of Indian corn and maize, under certain restrictions.

WHEREAS by an act, possed in the thirteenth year of the reign Preamble. of his present Majesty, intituled, An act to regulate the importation and exportation of corn, it was, among other things, provided, That when the price of several sorts of grain exceeded certain prices therein mentioned, that the same, and other grain and pulse, should be imported, paying a small duty: and whereas the grain, commonly called Indian Corn and Maize, was in the faid act omitted, although applicable to the same purposes with some of the other grains in the faid act enumerated and permitted to be imported, as aforefaid: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the passing of this After passing act, when barley is allowed by the said act to be imported into corn and this kingdom, upon the payment of a duty of two-pence per maize may be quarter, the importation of Indian corn and maize be permitted, imported, payon the payment of a duty of one penny per quarter, and no more, ing 1 d. per under the like provisions and regulations, and with the like ap- the like regupropriation of the duty on the same, as barley is allowed to be lations as barimported by the faid act; any law, custom, or usage, to the con-lev is allowed trary thereof, in anywife notwithstanding. Vol. XXXI.

to be imported CAP. by 13 Geo. 3.

Anno decimo quinto GEORGII III. C. 2-6. [1775.

#### CAP. II.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand feven hundred and feventy-five.

#### CAP. III.

An act for granting an aid to his Majesty by a land tax to be raised in Great Britain, for the fervice of the year one thousand seven hundred and seventy five. At three shillings in the pound.

#### CAP. IV.

An act for the regulation of his Majesty's marine forces while on shore.

#### CAP. V.

An all to repeal fo much of an all, made in the fourteenth year of the reign of his present Mujesty, intituled, An act to prevent the exportation to foreign parts of utenfils made use of in the cotton, linen, woollen, and filk manufactures of this kingdom, as relates to wool cards used in the woollen manufactures of this kingdom, intended to be exported to any of his Majefly's colonies or plantations in America.

#### Preamble.

3

Clause in act hibiting the tools, &c. in the woollen manufactory, recited,

THEREAS by a clause in an act, passed in the fourteenth year of the reign of his present Majesiy, intituled, An act 34 Geo. 3. pro- to prevent the exportation to foreign parts of utenfils made use of in the cotton, linen, and woollen, and filk manufactures of exportation of this kingdom, the collecting of tools and implements used in the woollen manufacture, with intent to export the same, is probibited under certain penalties and forfeitures: and whereas the exportation of wool cards to his Majesty's colonies in North America hath been very beneficial for a great number of years past, both to this country and the said colonies, and the prohibition of the exporting of them having proved extremely prejudicial to great numbers of poor families in England, by the stoppage of the trade of making such wool cards; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, and by this act That so much of the said clause as prohibits the collecting or repealed, so far obtaining of implements and tools used in the woollen manufacture of this kingdom, for the purpose of exporting the same to some other part or place than Great Britain or Ireland, shall be, and the same is hereby repealed, as far as relates to wool cards, or stock cards, not exceeding in value four shillings per pair, and fpinners cards, not exceeding in value one shilling and fix pence per pair, used in the said woollen manufacture, intended to be exported to any of his Majesty's colonies or plantations in

#### as relates to the exportation of wool cards, &c. to America.

America.

#### CAP. VI.

An act for punishing mutiny and defertion; and for the better payment of the army and their quarters.



# 1775] Anno decimo quinto Georgii III. c. 7,8,9

#### CAP. VII.

An all to continue for a further time an all, made in the eighth year of his present Majesty's reign, intituled, An act to continue and amend an act, made in the fifth year of the reign of his present Majesty, intituled, An act for importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time, and for allowing the importation of falted beef, pork, bacon, and butter, from the British dominions in America, for a limited time; and for extending the provisions of the said acts to potatoes, and all kinds of pulse.

WHEREAS an act was made in the fifth year of his present Preamble:
Majesty's reign, (intituled, An act for importation of salted Act & Geo. Majefly's reign, (intituled, An act for importation of salted Act 5 Geo. 3. beef, pork, bacon, and butter, from Ireland, for a limited time); and whereas an act was made in the eighth year of his present Ma- Act & Geo 31 jesty's reign, to continue and amend the faid first-mentioned act, and for allowing the importation of salted beef, pork, bacon, and butter, from the British dominions in America, for a limited time: and whereas by fix acts, made in the ninth, touth, eleventh, twelfth, thir- and act 9, 10. teenth, and fourteenth years of the reign of his present Majesty, the 11,12,13, & 14 Said last-mentioned at was continued until the first day of March, one Geo. 3 thousand seven hundred and seventy-five: and whereas it is expedient that the importation of the said goods and commedities should be allowed for a longer time: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act, made in the eighth year of his present Majesty's reign, (intituled, An all ta continue and amend an act, made in the fifth year of the reign of his present Majesty, intituled, An act for importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time, and for allowing the importation of falted beef, pork, bacon, and butter, from the British dominions in America, for a limited time,) shall continue, and be in full force and effect, until the further contithirtieth day of March, one thousand seven hundred and seventy Nar. 30,1776. iix.

II. And whereas the free importation of potatoes and pulse from Ireland, may be advantageous, be it enacted, That during the continuance of this act, potatoes, and all kinds of pulse, may be im- maybeimportported into Great Britain from Ireland free of duty.

Potatoes, &c. ed duty free.

#### CAP. VIII.

An act for defraying the charge of the pay and cloathing of the militia in that part of Great Britain called England, for one year, beginning the twenty fifth day of March, one thouland feven hundred and feventy. five.

#### CAP. IX.

An act to amend an act, made in the ninth year of the reign of his present Majetty, for making and maintaining a navigable canal from the Coventry canal navigation to the city of Oxford.



# Anno decimo quinto GEORGII III. C. 10. [1775.

#### CAP. X.

An act to restrain the trade and commerce of the provinces of Massachuset's Bay and New Hampshire, and colonies of Connecticut and Rhode Island, and Providence Plantation, in North America, to Great Britain, Ireland, and the British islands in the West Indies; and to prohibit such provinces and colonies from carrying on any fishery on the banks of Newfoundland, or other places therein mentioned, under certain conditions and limitations.

TATHEREAS by an act, made in the twelfth year of the reign

of king Charles the Second, intituled, An act for the en-

Preamble. Clause in act 12 Car. 2. recited.

couraging and increasing of shipping and navigation; and by several subsequent alls of parliament which are now in force, it is, amongst other things, enacted, That for every ship or vessel which shall load any commodities, in those acts particularly enumerated, at any British plantation, being the growth, product, or manufacture thereof, bonds shall be given, with one surety, to the value of one thousand pounds, if the ship be of less burthen than one bundred tons, and of the fum of two thousand pounds, if the ship be of greater burthen, that the same commodities shall be brought by such ship or vessel to some other British plantation, or to some port in Great Britain: and whereas, by several other acts of parliament which are now in force, no commodities of the growth, product, or manufacture of Europe, (except falt for the fisheries, wines of the Madeiras and Azores and Western Mands, and vietual and linen cloth from Ireland, under the restrictions in such acts particularly mentioned), can be imported into any plantation, colony, territory, or place, belonging to his Majesty, in Asia, Africa, or America, but what shall be bona fide, and without fraud, laden and Stipped in Great Britain, and carried directly from thence: and whereas, during the continuance of the combinations and disorders, which at this time prevail within the provinces of Massachuset's Bay and New Hampshire, and the colonies of Connecticut and Rhode Island, to the obstruction of the commerce of these kingdoms, and other bis Majesty's dominions, and in breach and violation of the laws of this realm, it is highly unfit that the inhabitants of the faid provinces and colonies should enjoy the same privileges of trade, and the same benefits and advantages to which his Majesty's faithful and obedient subjests are intitled; be it therefore enacted by the King's most excellent majefty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this present parliament affembled, and by the authority of the same, That from and after the first day of July, one thousand seven hundred and seventyfive, and during the continuance of this act, no goods, wares, or merchandiles, which are particularly enumerated in, and by the said act made in the twelfth year of king Charles the Second, or any other act, being the growth, product, or manufacture of be brought in. the provinces of Massachuset's Bay, or New Hampshire, or coloto some other nies of Connecticut, Rhode Island, or Providence Plantation, in British colony, North America, or any or either of them, are to be brought to some other British colony, or to Great Britain; or any such enumerated

After July 1, 1775, no goods, wares, &c. enumerated in, and by act 12 Car. 2. being the growth, product. &c. of Massachuset's Bay,&c. are to or to Great Britain;

#### Anno decimo quinto GEORGII III. C. 10. ₹775.]

merated goods, wares, or merchandise, which shall at any time or times have been imported or brought into the faid provinces or colonies, or any or either of them, shall be shipped, carried, conveyed, or transported, from any of the said provinces or colonies respectively, to any land, island, territory, dominion, port, or place whatfoever, other than to Great Britain, or some of the British islands in the West Indies, to be laid on shore there; and and that no that no other goods, wares, or merchandise whatsoever, of the other goods of growth, product, or manufacture of the provinces or colonies ture of the proherein-before mentioned, or which shall at any time or times vinces menhave been imported or brought into the same, shall, from and tioned are to after the said first day of July, and during the continuance of this to any other act, be shipped, carried, conveyed, or transported, from any of place except to the faid provinces or colonies respectively, to any other land, Great Britain, illand, territory, dominion, port, or place whatfoever, except to or Ireland, &c. the kingdoms of Great Britain or Ireland, or to some of the British islands in the West Indies, to be laid on shore there; any

law, custom, or usage, to the contrary notwithstanding. II. And be it further enacted by the authority aforesaid, That Bonds, with from and after the said first day of July, before any ship or ves- siven besides fel shall lade, or take on board any goods, as aforesaid, in any or the shipmaseither of the provinces or colonies before mentioned, sufficient ters, before bond, with one surety, besides the master of such ship or vessel, taking on shall be given to the collector, or other principal officer of the board any customs at the port or place where such goods are intended to growth, &c. of the lader, or taken on board in the popular of one therefore be laden, or taken on board, in the penalty of one thousand said provinces. pounds, if the ship be of less burthen than one hundred tons, and of the sum of two thousand pounds, if the ship shall be of that or any greater burthen, with condition that fuch enumerated goods thall not be landed, or put on thore, at or upon any other land, island, territory, dominion, port, or place whatfoever, except some port or place within the kingdom of Great Britain, or some of the British islands in the West Indies; and that all other goods, wares, or merchandises, so intended to be laden as aforefaid, shall not be landed or put on shore at or upon any land, island, territory, dominion, port, or place whatsoever, other than and except some port or place within the kingdoms of Great Britain or Ireland, or some of the British islands in the West Indies; and with further condition to bring a certificate in Shipmasters to discharge thereof, within eighteen months from the date of such deliver certifibond, for such of the said goods as thall be entered for or landed due landing of in Great Britain or Ireland respectively, and within six months goods, for such of the said goods as shall be entered for or landed in any of the British islands in the West Indies; which respective certifi- which are to cates shall be under the hands and seals of office of the collector be figned by and comptroller, or other principal officer of the customs, refi- the port dent at the port or place where such goods shall be landed, testi- where landed. fying the landing thereof; or such bond or bonds shall and may be discharged by proof, upon oath made by credible persons, that the faid goods were taken by enemies, or perished in the leas.

III. And

б

After bonds livered, collector to certify the lame.

Goods laden bn board before bond given, or with the thip, acc.

1775. certain goods prohibited to be brought into the colonies,

fraud thipped from Great Britain.

Anno decimo quinto GERGII III. E. 10.

III. And it is hereby further enacted by the authority aforehave been de- said, That where any such bond or bonds shall be given, as aforesaid, in pursuance of this act, the collector, or other principal officer of the customs, to whom such bond or bonds shall have been given, shall deliver, under his hand and seal of office, without fee or reward, to the master of the ship or vessel taking in such goods, for the security of her navigation, a certificate, that fuch bond or bonds hath or have been given, expressing therein the quantity and species of the goods, with the marks and numbers of the packages, and the port or place for which they were entered; and if any fuch goods shall be laden on board any such ship or vessel in any of the provinces or colonies in this act before mentioned, before such bond or bonds shall be without certi- given, or shall be found on board any ship or vessel without the ficare, they are certificate herein-before directed, that such bond or bonds hath to beforfeited, or have been given, the goods so laden, together with the ship or vessel, with her guns, ammunition, tackle, apparel, and furniture, shall be forfeited; and if any goods, so laden as aforesaid, shall be landed or discharged at any port or place, contrary to the intent and meaning of this act, over and above the penalty of the bond or bonds, the shipper and owner of such goods, and the master or person taking charge of the vessel on board which they were laden, shall respectively forfeit the full value of the goods so landed or discharged, to be estimated according to the highest price or value which such fort of goods bear in the province or colony where and at the time when they were shipped and laden; which ship and goods may be seized and prosecuted, or the value of such goods prosecuted for, by any admiral, chief commander, or commissioned officer of his Majesty's fieet or ships of war, or by any officer of his Majesty's customs, in the manner herein-after directed.

IV. And it is hereby further enacted by the authority afore-After Sept. 1, said, That from and after the first day of September, one thousand leven hundred and seventy-five, and during the continuance of this act, no fort of wines, falt, or any goods or commodities whatfoever, (except horses, victual, and linea cloth, the produce and manufacture of Ireland, imported directly from thence), shall be imported into any of the faid colonies or provinces herein-before respectively mentioned, upon any pretence whatsoever, unless unless without such goods shall be bona fide and without fraud laden and shipped in Great Britain, and carried directly from thence, upon forfeiture thereof, and of the ship or vessel on board which such goods shall be laden; and it shall be lawful for any admiral, chief commander, or committioned officer, of his Majesty's fleet, or ships of war, or any officer of his Majesty's customs, to seize any ship or vessel arriving at any of the said provinces or colonies beforementioned, or which shall be discovered within two leagues of any shore thereof, having such goods on board, and the goods laden thereon, (except as before excepted), for which the master, or other person taking charge of such ship or vessel, thall not produce a cocket or clearance from the collector, or proper offi-

cer



1775.] Anno decimo quinto GEORGII III. C. 10.

cer of his Majesty's customs, certifying that the said goods were laden on board the faid ship or vessel, in some port of Great Britain; any law, custom, or usage, to the contrary notwith-

standing.

V. Provided always, and it is hereby further enacted by the This act not authority aforesaid, That this act, or any thing herein contained, to extend to shall not extend, or be construed to extend, to prohibit the excessary for his portation or carrying out from any of the provinces or colonies Majesty's ships before mentioned, or the importation into the same, of any goods of war or forts, or commodities whatsoever for the victualling or providing any &c. of his Majesty's ships of war, or other ships or vessels in his Majesty's service, or for his Majesty's forces, forts, or garrisons, any thing herein contained to the contrary notwithstanding.

VI. And provided also, That nothing herein contained shall lawful imporextend, or be construed to extend, to hinder or restrain the law-tation of goods ful importation into any or either of the faid provinces or colo- from the Brinies herein-before mentioned, from any of the British islands in tish West India the West Indies, of any such goods or commodities, being the said colonies. growth or produce thereof, as may now by law be imported from thence into the faid provinces or colonies, or any or either of

VII. And it is hereby further enacted by the authority aforesaid, That if any ship or vessel, being the property of the subjects After July 20, of Great Britain, not belonging to and fitted out from Great British vessels not tain or Ireland, or the islands of Guernsey, Fersey, Sark, Alderney, fitted out from or Man, shall be found, after the twentieth day of July, one Great Britain, thousand seven hundred and seventy-five, carrying on any fish- &c. fishing on ery, of what nature or kind soever, upon the banks of Newfound- Newfoundland, the coast of Labrador, or within the river or gulf of Saint land, &c. to be Lawrence, or upon the coast of Cape Breton, or Nova Scotia, or forfeited. with any other part of the coast of North America, or having on board their tackle, materials for carrying on any fuch fishery, every fuch ship or &c. vessel, with her guns, ammunition, tackle, apparel, and furniture, together with the fish, if any shall be found on board, shall unless the be forfeited, unless the master, or other person, having the charge produce proof such ship or vessel, do produce to the commander of any of his per certifi-Majesty's ships of war, stationed for the protection and superin- cates, &c. tendence of the British fitheries in America, a certificate, under the hand and feal of the governor or commander in chief, of any of the colonies or plantations of Quebec, Newfoundland, Saint John, Nova Scotia, New York, New ferfey, Penlylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, East Florida, West Fiorida, Bohamas, and Bermudas, setting forth, that fuch ship or vessel, expressing her name, and the name of her master, and describing her built and burthen, hath fitted and cleared out, from some one of the said colonies or plantations, in order to proceed upon the faid fishery, and that she actually and bona fide belongs to and is the whole and entire property of his Majesty's subjects, inhabitants of the said colony or plantation; which certificates such governors, or commanders in chief respectively, are hereby authorised and required to grant. VIII. And



## Anno decimo quinto Georgii III. C. 10.

thips impowered to fearch fiheries,

and to feize. Sec. fuch as shall not have the certificate before required.

cleared out from the faid whale fillery only :

Nor to affect fhips belonging to the island of Nanout for the whale fithery, having a proper ce tificate.

VIII. And to the end that the foregoing prohibitions, restrictions, and regulations, may be more effectually carried into execution, it is Commanders hereby further enacted by the authority aforesaid, That it shall of his Majesty's and may be lawful to and for all or any of the commanders of his Majesty's ships or vetsels of war, stationed and appointed for all thips carry- the regulation and protection of the British fishery upon the ing on the said coasts of North America, or to and for the commanders of any other of his Majesty's ships or vessels employed at sea, and they and every of them are hereby required and enjoined to examine, fearch, and visit all ships and vessels suspected to be carrying on the faid fisheries; and to seize, arrest, and prosecute, in manner herein-after directed, all and every fuch thips and veffels as shall be found to be carrying on the faid fisheries, not belonging to and fitted out from Great Britain or Ireland, or the islands of Guernsey, Jersey, Alderney, Sark, or Man, which shall not have on board the certificate herein-before required.

IX. Provided always, and be it further enacted by the autho-Thisact not to rity aforesaid, That nothing herein contained shall extend, or extend to ships be construed to extend, to impower any officer of his Majesty's thips of war, or of his Majesty's customs, to seize any thip or co onies before vessel which shall be fitted and cleared out from any of the said June 1, for the colonies and provinces before the first day of June, one thousand feven hundred and feventy-five, for the whale fishery only, and which shall be found carrying on such fishery within the limits aforesaid, between the said first day of June and the first day of November, one thousand seven hundred and seventy-five, and not carrying on, nor having on board any materials for carrying on,

any other fishery.

X. And be it further enacted by the authority aforesaid, That nothing in this act contained, respecting the fisheries carried on by his Majesty's subjects in North America, shall affect, or be tucket, cleared construed to affect, any ship or vessel, her guns, ammunition, tackle, apparel, furniture, or fish, on board, being the property of any of the inhabitants of the island of Nantucket, employed in the whale fishery only, if it shall appear by the papers on board, that fuch thip or vessel was fitted and cleared out from thence before the first day of June, one thousand seven hundred and seventy-five, or if the master, or other person having the charge of any such ship or vessel as aforesaid, shall produce a certificate, under the hand and seal of the governor or commander in chief of the province of the Maffachuset's Bay, setting forth, that such ship or veilel (expressing her name, and the name of her master, and describing her built and burden) is the whole and entire property of his Majesty's subjects of the said island of Nantucket, and was the property of one or more of them on or before the twenty fifth day of March, in the year one thousand seven hundred and seventy-five, and that she was cleared out with materials on board in order to proceed upon the whale fishery only; any thing in this act to the contrary thereof in any-wife notwithstanding.

XI. Provided also, and be it enacted by the authority aforesaid,



### Anno decimo quinto GEORGII III. C. 10.

That nothing in this act contained, respecting the fisheries carried Nor any fitted on by his Majesty's subjects in North America, shall extend, or be out by the construed to extend, to any ship or vessel, being the property of townships of any of the inhabitants of the townships of Marshfield and Scituate, Scituate. in the province of Massachuset's Bay, employed in or carrying on the mackarel, shad, and alewife fisheries only, if the master, or other person having the charge of any such ship or vessel, as aforesaid, shall produce a certificate, under the hand and seal of the governor, or commander in chief, of the province of the Massachuset's Bay, setting forth, that such ship or vessel (expressing her name, and the name of her master, and describing her built and burthen) is the whole and entire property of his Majesty's subjects of the faid townships of Marshfield and Scituate, and was the property of one or more of them, on or before the twenty-fifth day of March, in the year one thousand seven hundred and seventyfive, which certificate or certificates fuch governor or commander in chief is hereby authorised and required to grant.

XII. Provided always, and be it enacted, That the river which The river runemptieth itself into Passanacadie or Passanaquadi Bay, on the ninginto Paswestern side, and is commonly called and known by the name of samaquadi Saint Croix River, be held and deemed for all the purposes in the boundary this act contained, to be the boundary between the provinces of between Mar-

Maffachufet's Bay and Nova Scotia.

XIII. And whereas it is the intent and meaning of this act, that the several probibitions and restraints herein imposed upon the trade and commerce, and fisheries, of the said provinces and colonies should be discontinued and cease, so soon as the trade and commerce of his Majesty's subjects may be carried on without interruption; be it therefore enacted by the authority aforesaid, That whenever it shall be made Whenever it appear to the satisfaction of his Majesty's governor or commander the governor in chief, and the majority of the council, in the provinces of New of New Hamp-Hampshire and Massachuset's Bay respectively, that peace and obe- shire, &c. that dience to the laws shall be so far restored within the said pro- peace is so far vinces, or either of them, that the trade and commerce of his Majesty's subjects may be carried on without interruption with- trade may be in the same; and that goods, wares, and merchandise, have been carried on, he freely imported into the said provinces, or either of them, from is to notify the Great Britain, and exposed to sale, without any let, hindrance, same by proor molestation, from or by reason of any unlawful combinations to prevent or obstruct the same; and that goods, wares, and merchandise, have in like manner been exported from the said provinces, or either of them respectively, to Great Britain, for and during the term of one calendar month preceding; that then, and in such case, it shall and may be lawful for the governer or commander in chief, with the advice of the council of such provinces respectively, by proclamation, under the seal of fuch respective province, to notify the same to the several officers of the customs, and all others; and after such proclamation, this act with respect to such province, within which such proclamation or proclamations have been issued as aforesaid, shall be discontinued and cease, (except as herein-after provided); and all of-

fachufet's Bay and Nova Sco-

restored in any province, that



and all officers of the cuttoms, &c. are required to pay due obe-

If application lonies of Connechcut and Rhode illand, &c. and it be proved to the governor in lawful trade hath been carried on, he is

Anno decimo quinto GEORGII III. c. 10. [1775. ficers of his Majesty's customs, and all other persons having charge of the execution of this act, having received due notice of fuch proclamation, are hereby directed and required to yield and pay obedience to such proclamation, and to proceed in the difdience thereto. charge of their respective duties, in admitting to entry, clearing, and discharging, all ships and vessels, and all goods, wares, and merchandises, into and out of such respective province; and to permit and fuffer any ships or vessels to carry on the fisheries within the limits herein-before mentioned, in like manner as if this act had never been made; any thing herein contained to

the contrary not withstanding.

XIV. And be it further enacted, That the governor or combe made on be- mander in chief, with the advice of the council of the province of Mossachuset's Bay, shall and may, and he is hereby authorised and impowered, upon application for and on behalf of the colonies of Connecticut and Rhode Island, and Providence Plantation, or either of them, by the governor or commander in chief of the faid colonies respectively, to issue the like publick notice or noemef, &c. that tices by proclamation within the faid colonies, or either of them, if it shall be proved to the said governor or commander in chief, and council of Maffachuset's Bay, by the testimony of the officers to iffue the tike of his Majesty's customs in each of the said colonies respectively, proclamation, and the faid governor or commander in chief, and council, shall be fatisfied of the truth thereof, that the lawful trade between the faid colonies of Connecticut and Rhode Island, and Providence Plantation, and Great Britain, is and hath been carried on in manner herein-before mentioned within the faid colonies, or either of them, for the space of one calendar month preceding the date of such application; and from and after such proclamation, this act shall, with respect to such colonies, or either of them, be discontinued and cease, (except as herein-after provided;) and all officers of the customs in the said colonies, and all others, are hereby required to pay obedience to such publick notice of the faid governor or commander in chief as aforesaid, and to proceed in the discharge of their respective duties in admitting to entry, clearing, and discharging, all ships and vessels, and all goods, wares, and merchandile, into and out of fuch colony or colonies, in like manner as if this act had never been made; any thing herein contained to the contrary notwithstanding.

XV. Provided nevertheless, and it is hereby further enacted and declared by the authority aforesaid, That such proclamation or proclamations shall not extend, or be construed to extend, to discharge or suspend any proceedings upon any seizure which shall have been made, or any prosecution which shall have been commenced for any penalty or forfeiture inflicted by this act be-

fore the issuing of such proclamation or proclamations.

XVI. And it is hereby further enacted by the authority aforesaid, That if any person or persons shall give or grant any false certificates, cocket, or clearance, for any of the purpoles required or directed by this act, such person or persons shall forfeit the sum of five hundred pounds, and be rendered incapable of serv-

Proclamation not to difcharge proceedings upon any feizure made before isfuing there-

Persons giv. ing talle certincates, or counterfeiting, &c. the fame, to forfest sool.

mg



### Anno decimo quinto Georgii III. c. 10.

ing his Majesty, his heirs and successors, in any office whatsoever; and if any person or persons shall counterfeit, erase, alter, or falfify, any certificate, cocket, or clearance, required or directed by this act, or shall knowingly or willingly make use of any false certificate, cocket, or clearance, or of any certificate, cocket, or clearance, so counterfeited, erased, altered, or falsified, fuch person or persons shall, for every such offence, forfeit the sum of five hundred pounds, and such certificate, cocket, or

clearance, shall be invalid and of no effect.

XVII. And be it further enacted by the authority aforesaid,
That the several forfeitures and penalties inflicted by this act, How penalties shall and may be prosecuted, sued for, and recovered, and be dimay be prosecuted. vided, paid, and applied, in like manner as other penalties and cuted and apforfeitures inflicted by any act or acts of parliament, relating to plied. the trade or revenues of the British colonies or plantations in America, are directed to be prosecuted, sued for, or recovered, divided, paid, and applied, by two several acts of parliament, the one passed in the fourth year of his present Majesty, intituled, An act for granting certain duties in the British colonies and plantations in America; for continuing, amending, and making perpetual, an act paffed in the fixth year of the reign of his late majefly King George the Second, intituled, An act for the better securing and encouraging the trade of his Majesty's sugar colonies in America; for applying the produce of such duties, and of the duties to arise by virtue of the said of, towards defraying the expences of defending, protecting, and securing, the said colonies and plantations; for explaining an act made in the twenty-fifth year of the reign of King Charles the Second, intituled, An act for the encouragement of the Greenland and Eastland trades, and for the better securing the plantation trade; and for altering and disallowing several drawbacks on exports from this kingdom, and more effectually preventing the clandestine conveyance of goods to and from the said colonies and plantations, and improving and securing the trade between the same and Great Britain; and the other, passed in the eighth year of his present Majesty's reign, intituled, An act for the more easy and effectual recovery of the penalties and forfeitures inflicted by the acts of parliament relating to the trade or revenues of the British colonies and plantations in America.

XVIII. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any per- Persons sued fon or persons, for any thing done in pursuance of this act of par- for any thing liament, the defendant or defendants in such action or suit may ance of this act plead the general issue, and give the said act and the special mat- may plead the ter in evidence, at any trial to be had thereupon, and that the general issue. same was done in pursuance of and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared, or if judgement shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall recover treble costs, and have the like remedy for the same, and recover as defendants have in other cases by law.

CAP, treble costs.



### CAP. XI.

An all to amend an all made in the eleventh year of his present Majesty's reign, For improving and compleating the navigation of the rivers Thames and Isis, from the city of London to the town of Cricklade, in the county of Wilts.

THEREAS by an act, passed in the twenty-fourth year of the

carrying on and regulating the navigation of the rivers Thames

and Is, from the city of London westward, to the town of

reign of his late Majesty, (intituled, An act for the better

Preamble. Clause in act 14 Geo. 1.

> Cricklade, in the county of Wilts,) the commissioners thereby oppointed were, amongst other things, impowered to make orders and regulations touching the fixes and draughts of water of all boats, barges, and other veffels, navigating the faid rivers, and to fettle proper gauges on the sides thereof, and how deep they should load at all times, and in different seasons of the year, so as no boat, barge, or

other veffel, navigating the faid rivers, should araw more than four feet of water at any jeason of the year: and whereas by another act, passed and act 11 Geo. in the eleventh year of his present Majesty, for improving and compleat-

ing the faid navigation, the commissioners thereby appointed were also (amongst other things) impowered to make orders and regulations touching the fixes and draughts of all boats, barges, and other veffels, uavigating the said rivers, and to settle proper gauges on the fides

thereof, and how deep they should load at all times, so as no boat, barge, or other veffel what soever, navigating the said river, should draw more than three feet of water, which depth should be ascertained by a straight white line one inch broad, extending from head to

stern, on each side of every barge, boat, or vessel; and every person offending therein, by navigating his boat, barge, or veffel, drawing more than three feet of water, or not having the said white line on

each side thereof, is thereby made liable to a penalty or forfeiture, not more than twenty pounds, nor less than five pounds, to be levied and

recovered in manner therein mentioned: and whereas the faid restrictions, touching the depth of water to be drawn by boats, barges, and

other vessels, navigated upon the said rivers, have been found to be very prejudicial to the barge-masters, and other persons employed in the

faid navigation, and tend to enhance the price of carriage of the goods, wares, and merchandises navigated thereon: and whereas the white

lines before mentioned are frequently worn out or rubbed off by unavoidable accidents, whereby innocent persons become liable to the said

penalty, and the depth of water would be better ascertained by pieces of tin, lead, or other metal, to be affixed in different places on each

fide of such boats, barges, and other vessels: may it therefore please your Majesty that it may be enacted; and be it enacted by the

King's most excellent majesty, by and with the advice and conto be observed sent of the lords spiritual and temporal, and commons, in this

concerning he present parliament assembled, and by the authority of the same, That no person or persons whatsoever shall, from and after the passing of this act, be subject or liable to any penalty or forfeiture

3. recited.

The faid claufes now found preju. dicial.

Regulations under this act depth of water allowed to be drawn.



#### Anno decimo quinto GEORGII III. C. II. R775.]

mentioned in the said act of the eleventh year of his present Majesty, or any other penalty or forfeiture whatsoever, in respect of the depth of water to be drawn by any boat, barge, or other veilel, navigated on the faid rivers, in any district beyond the Aux of the tide, unless such boat, barge, or other vessel, shall draw more than three feet of water, between the first day of May and the first day of November in any year, or more than three feet and eight inches between the first day of November in any year and the first day of May in the succeeding year; or unless such person or persons shall wilfully disobey any order which shall, from time to time, in scarcity of water, he made by the commissioners, or any seven or more of them, at any general meeting to be held in pursuance of the said act of the eleventh year of his present Majesty, for limiting occasionally the draught of water between the first day of November in any year and the first day of May in the succeeding year, fourteen days notice of such order being first printed in the Reading and Oxford fournals; any thing in the said two acts of parliament contained, or any order or regulation made by the commissioners, in pursuance of the faid acts, or either of them, to the contrary thereof in any-wife

notwithstanding.

II. And, for the better ascertaining such depths of water to be drawn by boats, barges, and other veffels navigated upon the faid rivers, be it further enacted by the authority aforesaid, That in- In what manstead of the white line directed by the said act of the eleventh ner the depth year of his present Majesty to be had and used for the ascer- of water is to taining thereof, the same shall, from and after the passing of this act, be ascertained, as well by frames, gauges, or regulators, to be fixed in every district, at such places as shall be directed by seven or more commissioners at any general meeting, or by three or more commissioners at any district meeting, to be held in pursuance of the said act of the eleventh year of his present Majesty, as by three pieces of tin, lead, or other metal, to be nailed or fastened at proper and convenient distances on each side of every boat, barge, or other vessel, navigated on the said rivers, each of which pieces of tin, lead, or other metal, shall be and contain eight inches in length, and shall be placed perpendicularly, to as for the bottom parts thereof to denote the depth of three feet, and the tops thereof to denote the depth of three feet and eight inches, hereby allowed to be drawn by fuch boats, barges, and other vessels, during the different periods of time herein before mentioned: and if any person or persons Fensity for shall navigate his or their boat, barge, or other vessel, not hav. neglecting the ing the said pieces of tin, lead, or other metal, of the dimen-scribed in this sions aforesaid, nailed or fastened thereon, according to the di- act, the 'ame rections herein-before mentioned, every fuch person and per- as for neglectfons so offending shall be subject and liable to the same penalty ing the white and forfeiture which he or they would have been subject or liable to for not having the white line on each fide of fuch boat, barge, or other veisel, if this act had not been made; to be recovered and levied in the same manner as the said penalty or forfeiture



Anno decimo quinto GEORGII III. C. 11.

feiture is, by the said act of the eleventh year of his present

Majesty, directed to be levied and recovered.

Persons who have navigated boats, &c. and incurred penalties respecting white lines, &c. indemnified from fuch penalties;

except penalties already paid.

How the rifing the injury of lands is to be prevented.

Penalty 10 l. on neglect of regulations prescribed.

III. And be it further enacted by the authority aforefaid, That no person or persons who hath or have navigated, or caused to be navigated, any boat, barge, or other vessel, drawing more than three feet of water, or not having the faid white line on each fide thereof, before the passing of this act, shall be subject or liable to any penalty or forfeiture in respect thereof, under or by virtue of the faid act of the eleventh year of his present Majefty, or otherwise howsoever; but that all and every such person and persons shall be, and they are hereby indemnished from all and every penalty and penalties, forfeiture and forfeitures, by them, or any of them, incurred, by reason of such draught of water having exceeded the depth of three feet appointed by the said act, or by reason of his or their not having the said white line on each fide of fuch boat, barge, or other veffel; except penalties and forfeitures already paid.

IV. And whereas by the faid att of the eleventh year of his present of the water to Majesty's reign, the commissioners are impowered to fix a mark or marks at each lock or weir, below or above which mark or marks no owner or occupier of any lock or weir shall knowingly or defignedly let the water fall or rife, unless authorised so to do, in manner directed by the said att: and whereas, since the passing of the said att, great damages have been sustained by the owners and proprietors of lands and grounds, occasioned by the owners and occupiers of the several locks, weirs, bucks, and flood-gates, or their agents and servants, neglecting to draw and keep open the same when the water is risen to the guage and level fixed and appointed by and under the authority of the faid act; be it therefore further enacted by the authority aforesaid, That when and so often as the water shall be raised to and be level with the high-water marks, which shall, from time to time, be set and appointed by the commissioners in pursuance of the said act of parliament, the tenants or occupiers for the time being of the several old locks, weirs, bucks, dams, and floodgates, in and upon the faid rivers, or either of them, or the person or persons who for the time being shall be intrusted with the opening and shutting of the same, shall thereupon, with all convenient speed, open such old locks, weirs, bucks, dams, and flood-gates, and keep open the same, till the water is sunk below the high-water marks to fet and appointed: and in case such tenant or occupier, or person intrusted with the opening and shutting of such old locks, weirs, bucks, dams, or flood-gates, shall neglect or refuse to open or keep open the same, as aforefaid, and shall be thereof convicted upon the oath of one or more credible witness or witnesses, before one or more of his Majesty's justices of the peace for either of the counties in which fuch old lock, weir, buck, dam, or flood-gate, shall happen to be, or before any two of the commissioners appointed, or to be appointed, in or by virtue of the faid act of the eleventh year of his present Majesty, (such commissioners having first duly qualified themselves under the said act,) every such person and per-



# 1775.] Anno decimo quinto Georgii III. C. 11, 12.

fons fo neglecting or refusing, and being thereof convicted, as aforesaid, shall forseit the sum of ten pounds; to be levied by diffress and sale of the offender's goods and chattels, by warrant under the hand and seal, or hands and seals, of such justice or justices of the peace, or of such two commissioners, as aforesaid, and to be applied and disposed of for the use of the said navigation.

V. And, for the preventing any fraud or abuse in setting the said Lock owners water marks, be it further enacted by the authority aforesaid, shall not act as That no owner or proprietor, tenant or occupier of any old commissioners lock, weir, buck, dam, or flood-gate, upon either of the said ri- water marks. vers, shall act as a commissioner under the said acts of parliament, or either of them, for the purpole of fetting or appointing the faid water marks, or any or either of them, under the like penalty or forfeiture which he or they would have been subject or liable to for acting under any disqualification contained in the faid act of the eleventh year of his present Majesty's reign; and to be recovered, levied, and applied, in the same manner as fuch penalty or forfeiture under the faid last-mentioned act is thereby directed to be recovered, levied, and applied, and not otherwife.

VI. Provided always, and be it further enacted, That if any Persons thinkperson or persons shall think him, her, or themselves aggrieved, ing themselves by reason of any penalty or forfeiture being levied in pursuance aggrieved of this act, he, she, or they, shall have, and be intitled to, the may appeal to same benefit of appeal to the justices of peace, assembled at any sessions. quarter sessions, as is allowed in and by the said act of the eleventh year of his present Majesty, in any case where penalties and forfeitures are thereby inflicted.

VII. And be it further enacted by the authority aforefaid, Publick act. That this act shall be deemed, adjudged, and taken to be a

publick act; and shall be judicially taken notice of as such by all judges, justices, and other persons whatsoever, without specially

pleading the fame.

#### CAP. XII.

An act to enable the commissioners, acting by virtue of an act, made in the twenty-feventh year of the reign of his majefty King George the Second, for draining and preserving the north level, part of the great level of the fens, called Bedford Level, and divers lands adjoining thereto, in the manor of Crowland, to charge further Taxes upon the faid north level, and the faid adjoining lands.

Preamble. claufe in act 15 Car. 2. recited. Clause in act 27 Geo. 2. and in act 11 Geo. 3. recited. Commissioners appointed by act of 27 Geo. 2. at their general meeting impowered to lay further yearly taxes. Lands excepted. How the fums raised are to be applied. Commissioners for the five diffricts, with consent of devisees of the duke of Bedford, fir Sampson Gideon, and Mr. Hunter, &c. impowered to lay a farther tax for one year. How the faid tax for one year is to be applied. Lands and grounds rated to be taken according to the quantity ascertained by act 27 Geo. 2. Tenants to pay taxes; and if they hold the lands at rack rents, may deduct the same from their rents. Landlords to allow such deductions. Certain leffees not intitled to deduct the taxes. If any persons neglect or refuse to pay the taxes, receivers may enter upon their lands, and levy the same by distress; and if not found on their lands, may distrain their



#### Anno decimo quinto GEORGII III. C. 13, 14. 1775.

goods in any other place in Great Britain. Goods diftrained may be fold for payment of taxes Lands untenanted to remain a security for payment. In case certain lands be not sufficiently drained with o vears, owners, &c. may erect a mill or engine, &c. At what time fuci engine fo erected may not be worked. Commissioners may stop such engine when the water rifes above a certain guage. Limitation of actions. General iffue Double costs. Saving clause for the conservators of Bedford Level. Publick act.

#### C A P. XIII.

An act for the better relief and employment of the poor within the hundreds of east and wett Flegg, in the county of Nortock.

#### C A P. XIV.

An all to explain and amend an all, made in the fourteerth year of his present Maresty, intituled, An act to amend an act, made in the twenty-lecond year of the reign of his late majesty King George the Second, int.tul. 1, An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and filk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot pressers, and of all persons employed in the said several manufactures; and for the better payment of their wages.

WHEREAS by an ast, made in the fourteenth year of the

fellual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and filk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen bot pressers, and of all persons employed in the said several manufactures; and for the better payment of their wages;) certain penalties

reign of his present Maj. ty, (intituled, An act to amend an

Preamble.

Act 14 Geo. 3. act, made in the twenty-second year of the reign of his late majesty King George the Second, intituled, An all for the more ef-

therein mentioned are inflicted on persons convicted of reeling false or fort yarn, but no provision is made for recovery of the said penalties, or of the costs and charges attenting such prosecutions, by means whereof the good purp-jes intended by the said att are rendered ineffectual; may it theretore ; lease your Majesty that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, 11 this present parliament assembled, and by the authority of the same, That from and after the pas-After paffing fing of this act, the several pecuniary penalties inflicted by the faid act upon persons who shall be convicted of reeling false or short yarn, together with the costs and charges attending such profecutions, shall (in case the same are not paid according to the order of the justice or justices before whom such person or persons shall be so convicted) be levied by distress and sale of the goods and chattels of the offender or offenders, by warrant or warrants under the hand and seal, or hands and seals, of the justice or justices before whom such offender or offenders shall be so congoods;

this act, the feveral penalties infl Eted by act 14 Geo. 3. on persons reeling flort yarn, & . to be levied by diffress of the offen lers



#### 1775.] Anno decimo quinto GEORGII III. C. 15.

victed, together with the costs and charges of making such distress and sale; and if no goods and chattels belonging to such and if no offender or offenders can be found sufficient to answer the said goods sufficipenalties, together with the costs and charges of such distress found, they and sale, then such justice or justices shall and may cause such are to be comoffender or offenders to be committed to the common gaol, or mitted for one house of correction, of the county, riding, division, city, liberty, month. town, or place, where such offence shall be committed, there to remain without bail or mainprize for the space of one calendar month, unless such penalties and forfeitures, and the reasonable charges of fuch diffress and sale, shall be sooner paid and satisfied.

II. Provided nevertheless, and be it further enacted, That if If persons any person or persons shall think him, her, or themselves ag- think themgrieved by any thing done in pursuance of this act, it shall and felves aggrieve may be lawful for fuch person or persons to appeal to the justices appeal to the of the peace, at the next general or quarter sessions of the peace sessions; to be holden for the county, riding, city, or place, where the cause of complaint shall arise; and the justices, in their said general or quarter sessions, are hereby required to hear and determine the matter of every such appeal, and to make such order therein, as to them shall seem reasonable, and according to the true intent and meaning of this act; which determination of the and the deterfaid justices in sessions, on every and any such appeal, shall be mination of and are hereby declared to be final and conclusive.

be final.

#### CAP. XV.

An act to amend and render more effectual in his Majesty's dominions in America an act, passed in the present session of parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters, and for extending the provisions of the said att to his Majesty's marine forces in America.

WHEREAS in and by an act, made in this present session of Preamble.
parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters, several regulations are made and enacted for the better government of the army and their observing strict discipline, and for providing quarters for the army and carriages on marches and other necessary occasions, and inflicting penalties on offenders against the sime all, and for many other good purposes therein mentioned; but the same may not be sufficient for the forces that may be employed in his Majesty's dominions in America: and whereas, during the continuance of the said att, there may be occasion for marching and quartering of regiments and companies of his Majejly's forces in several parts of his Majefly's dominions in America, and whereas the publick houses and barracks in his Majesty's dominions in America may not be sufficient to supply quarters for such forces: and whereas it is expedient and necessary that carriages and other conveniences upon the march of troops in his majefly's dominions in America should be supplied for that purpose, be it enacted by the king's most excellent majesty, by and Vol. XXXI. WHIL



cers and men in barracks provided for them;

ficient room therein to billet the refidue in inns, alehouses, &c;

alfo infufficient, then 'n hired uninhabited houses, &c.

by the governor, &c. for the purpole.

No more billets to be ordered than there are effective men. Commander early notice to the respective governors of their numbers,

Anno decimo quinto GEORGII III. C. 15. [1775.

with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the Confiables, &c. authority of the same, That for and during the continuance of to quarter offi- this act, and no longer, it shall and may be lawful to and for the constables, tithingmen, magistrates, and other civil officers of villages, towns, townships, cities, districts, and other places, within his Majesty's dominions in America, and in default or absence, for any one justice of the peace inhabiting in or near any fuch village, township, city, district, or place, and for no others, and such constables, tithingmen, magistrates, and other civil officers aforesaid, are hereby required to quarter and billet the officers and soldiers in his Majesty's service in the barracks and if not fuf- provided by the colonies; and if there shall not be sufficient room in the said barracks for the officers and soldiers, then, and in fuch case only, to quarter and billet the residue of such officers and soldiers (for whom there shall not be room in such barracks) in inns, livery stables, alchouses, victualling-houses, and the houses of sellers of wine by retail to be drank in their own houses or places thereunto belonging, and all houses of persons selling of rum, brandy, strong waters, cyder, or metheglin, by retail, to and if these be be drank in houses; and in case there shall not be sufficient room for the officers and foldiers in fuch barracks, inns, victualling and other publick alehouses, that in such and no other case, and upon no other account, it thall and may be lawful for the governor and council of each respective province in his Majesty's to be provided dominions in America, to authorife and appoint, and they are hereby directed and impowered to authorife and appoint, fuch proper person or persons as they shall think fit, to take, hire, and make fit, and in default of the said governor and council appointing and authorifing such person or persons, or in default of fuch person or persons so appointed neglecting or refusing to do their duty, in that case it thall and may be lawful for any two or more of his Majesty's justices of the peace, in or near the faid villages, towns, townships, cities, districts, and other places, and they are hereby required to take, hire, and make fit for the reception of his Majesty's forces, such and so many uninhabited houses, outhouses, barns, or other buildings, as shall be necessary to quarter therein the residue of such officers and soldiers for whom there should not be room in such barracks and publick houses, as aforesaid, and to put and quarter the residue of such officers and foldiers therein.

II. And it is hereby declared and enacted, That there shall be no more billets at any time ordered than there are effective foldiers present to be quartered therein: and in order that this fervice may be effectually provided for, the commander in chief in America, or other officer, under whose orders any regiment in chief to give or company shall march, shall, from time to time, give, or cause to be given, as early notice as conveniently may be, in writing, figned by such commander or officer, of their march, specifying the marching their numbers and time of marching as near as may be, to the of troops, and respective governors of each province through which they are to

march,



1975.] Anno decimo quinto Georgia III. c. 15.

merch, in order that moper persons may be appointed and au- that the perchorifed, in purfuence of this act, to take up and hire, if it that fons appointed be necessary, uninhabited houses, outhouses, barns, or other may provide buildings, for the reception of such soldiers as the barracks and publick houses shall not be sufficient to contain or receive.

III. And whereas doubts have been entertained, whether where the figroops can be quartered otherwise than in barracks, in case bar- tuation of barrecks have been provided sufficient for the quartering of all the racks are in-Officers and foldiers within any town, township, city, district, or convenient, place, within his Majesty's dominions in North America: and shall be prowhereas it may frequently happen, from the fituation of fuch vided. barracks, that if troops should be quartered therein, they would not be stationed where their presence may be necessary and required; be it therefore enacted by the authority aforesaid, That, in such cases, it shall and may be lawful for the persons hereby authorised to quarter troops as aforesaid in any of the provinces within his Majesty's dominions in North America, and they are hereby respectively authorised, impowered, and directed, on the requifition of the officer who for the time being has the command of his Majesty's forces in North America, to cause any officers or foldiers in his Majesty's service to be quartered and billetted in such manner as is by this act directed where no barracks are provided by the colonies.

IV. And be it enacted by the authority aforesaid, That if it If soldiers sethall happen at any time that any officers or foldiers in his Ma- main 24 hours jesty's service shall remain within any of the said colonies with- without quarout quarters for the space of twenty four hours after such quar- to order mainters shall have been demanded, it shall and may be lawful for the habited governor of the province to order and direct fuch and fo many houses, &c. to uninhabited houses, outhouses, barns, or other buildings, as he be fitted up for thall think necessary to be taken (making a reasonable allowers their recepshall think necessary to be taken, (making a reasonable allowance tion. for the same,) and made fit for the reception of such officers and foldiers, and to put and quarter fuch officers and foldiers

therein, for fuch time as he shall think proper. W. And be it further enacted by the authority aforesaid, Military offi-That if any military officer shall take upon himself to quarter cers taking upfoldiers in any of his Majesty's dominions in America, otherwise to quarter solthan is limited and allowed by this act; or shall use or offer any diers, or using menace or compulsion to or upon any justice of the peace, con- any menace to stable, tithingman, magistrate, or other civil officer before men- civil officers to tioned, in his Majesty's dominions in America, tending to deter from their and discourage any of them from performing any part of the duty, duty hereby required, or appointed; such military officer, for to be cashierevery such offence, being thereof convicted before any two or ed; more of his Majesty's justices of the peace living within or near fuch villages, towns, township, cities, districts, or other places, by the oaths of two or more credible witnesses, shall be deemed and taken to be ipfo facto cashiered, and shall be utterly disabled to have or hold any military employment in his Majesty's service, upon a certificate thereof being transmitted to the commander in chief in America; unless the said conviction shall be unless the con-

quarters'accordingly. '

on themselves

re- viction be re-

20 verled upon an appeal.

Perions aging quartered on may complain to the relieved.

No justice havry office to be concerned in billetting foldiers,

except wi. there shall be no other juftice.

officers and foldiers quartered in inns or alchouses are to be furniched with provisions at certain rates.

What innholders, &c. may allow on them inAnno decimo quinto GEORGII III. C. 15. [1775.

reversed upon an appeal brought within six months in the proper court for hearing appeals against convicting by justices of the peace: and in case any person shall find himself aggrieved in that grieved by be- such constable, tithingman, magistrate, or other civil officer, shall have quartered or billetted in or upon his house a greater number of soldiers than he ought to bear in proportion to his justices, and be neighbours, and shall complain thereof to one or more justice or justices of the peace of the village, town, township, city, district, or other place, where such soldiers are quartered; such justice or justices has or have hereby power to relieve such person, by ordering such and so many of the soldiers to be removed and quartered upon such other person or persons as they shall fee cause; and such other person or persons shall be obliged to receive fuch foldiers accordingly.

VI. Provided also, and be it further enacted, That no justice ing any milita- or justices of the peace, having or executing any military office or commission in his Majesty's regular forces in America, may, during the continuance of this act, directly or indirectly, act or be concerned in the quartering, billetting, or appointing any quarters for any foldier or foldiers, according to the disposition made for quartering of any foldier or foldiers by virtue of this act, (except where there shall be no other justice or justices of the peace,) but that all warrants, acts, matters, or things, executed or appointed by fuch justice or justices of the peace for or concerning the same, shall be void, any thing in this act con-

tained to the contrary notwithstanding. VII. Provided nevertheless, and it is hereby enacted, That the officers and soldiers so quartered and billeted as aforesaid, (except fuch as shall be quartered in the barracks and hired unininhabited houses, or other buildings as aforesaid,) shall be received, and furnished with diet, small beer, cyder, or rum mixed with water, by the owners of the inns, livery stables, alchouses, victualling-houses, and other houses in which they are allowed to be quartered and billeted by this act, paying and allowing for the same the several rates herein-after mentioned, to be payable out of the sublistence-money, for diet and small beer, cyder, or rum mixed with water.

VIII. Provided always, That in case any innholder, or other person, on whom any non-commission officers or private men men quartered shall be quartered, by virtue of this act, in any of his Majesty's dominions in America, (except on a march, or employed in reflead of meat. cruiting, and likewise except the recruits by them raised for the space of seven days at most, for such non-commission officers and foldiers who are recruiting, and recruits by them raised,) shall be desirous to furnish such non-commission officers or soldiers with candles, vinegar, and falt, and with small beer, or cyder, not exceeding five pints, or half a pint of rum mixed with a quart of water, for each man per diem, gratis; and allow to fuch non-commission officers or soldiers the use of fire, and the necessary utensils for dressing and eating their meat, and shall give notice of such his desire to the commanding officer, and shall

furnish



# 1775.] Anno decimo quinto Georgia III. C. 15.

furnish and allow the same accordingly; then, and in every such cale, the non-commission officers and foldiers so-quartered shall provide their own victuals; and the officer to whom it belongs. to receive, or that actually does receive, the pay and subfistence of fuch non-commission officers and soldiers, shall pay the several sums herein-after mentioned, to be payable out of the subfistence-money, for diet and small beer, to the non-commission officers and foldiers aforefaid, and not to the ianholder or other person on whom such non-commission officers and soldiers are quartered, any thing herein contained to the contrary notwithstanding.

IX. And whereas there are several barracks in several places in What officers bis Mojesty's said dominions in America, or some of them, provided quartered in by the colonies, for the lodging and covering of soldiers, in lieu of barracks, or quarters, for the ease and convenience as well of the inhabitants of and in hired uninin fuch colonies as of the foldiers, it is hereby turther enacted, That habited housall fuch officers and foldiers fo put and placed in fuch barracks, furnified with or in hired uninhabited houses, outhouses, barns, or other build- at the provinings, shall, from time to time, be furnished and supplied there cial expence. by the persons to be authorised or appointed for that purpose by the governor and council of each respective province; or upon neglect or refusal of such governor and council in any province, then by two or more justices of the peace residing in or near fuch place, with fire, candles, vinegar, and falt, bedding, utenfils for dreffing their victuals, and small beer or cyder not exceeding five pints, or half a pint of rum mixed with a quart of

water, to each man, without paying any thing for the fame. X. And, that the several persons who shall so take, hire, and fit How the exup, as oforesaid, such uninhabited houses, outhouses, barns, or other pences inchrbuildings, for the reception of the officers and soldiers, and who shall are to be reim-So furnish the same, and alfa the said barracks, with fire, candles, vi- burked. negar, and falt, bedding, utenfils for dreffing vietuals, and small beer, cyder, or rum, as aforesaid, may be reimbursed and paid all such charges and expences they shall be put to therein, be it enacted by the authority aforesaid, That the respective provinces shall pay unto fuch person or persons all such sum or sums of money so by them paid, laid out, or expended, for the taking, hiring, and fitting up fuch uninhabited houses, outhouses, barns, or other buildings, and for furnishing the officers and soldiers therein, and in the barracks, with fire, candles, vinegar, and falt, bedding, utenfils for dreffing victuals, and small beer, cyder, or rum, as aforefaid; and fuch fum or fums are hereby required to be raifed in fuch manner as the publick charges for the provinces respectively are railed.

XI. Provided always, and be it enacted by the authority a- Penalty on foresaid, That if any officer within his Majesty's said dominions taking money in America shall take, or cause to be taken, or knowingly suffer to excuse any to be taken, any money of any person for excusing the quarter- being quartering of officers or foldiers, or any of them, in any house allowed ed on. by this act, every such officer shall be cashiered, and be incapable of serving in any military employment whatsoever.

XII. And



### Anno decimo quinto GBORGII III. C. 15. 1775.

Commanding othicers may exchange men in their quarters.

XII. And whereas some doubts may arise, whether commanding officers of any regiment or company within his Majesty's said dominions in America may exchange any men quartered in any village, town, township, city, district, or place, in his Majesty's said dominions in America, with another man quartered in the same place, for the benefit of the service, be it declared and enacted by the authority aforesaid, That such exchange as above mentioned may be made by fuch commanding officers respectively, provided the number of men do not exceed the number at that time billetted on fuch house or houses; and the constables, tithingmen, magistrates, and other chief officers of the villages, towns, townships, cities, districts, or other places where any regiment or company shall be quartered, are hereby required to billet fuch men so exchanged accordingly.

Penalty on delaying to quarter or billet officers or foldiers, after due notice;

or receiving money to excule quartering;

refuting to receive the officers and fo'diers billetted on them, or to turn th them with neceff ries, as this act directs;

exceeding 51. nor lefs than

XIII. And be it further enacted by the authority aforefaid, constables, &c. That if any constable, tithingman, magistrate, or other chief officer or person whatsoever, who by virtue or colour of this act shall quarter or billet, or be employed in quartering or billetting, any officers or foldiers within his Majesty's said dominions in America, shall neglect or refuse for the space of two hours to quarter or billet fuch officers or foldiers when thereunto required, in such manner as is by this act directed, provided sufficient notice be given before the arrival of fuch forces; or shall receive, demand, contract, or agree, for any fum or fums of money, or any reward whatfoever, for or on account of excusing, or in order to excuse, any person or persons whatsoever from quartering, or receiving into his, her, or their house or houses and on persons any such officer or soldier; or in case any victualler, or any other person within his Majesty's dominions in America, liable by this act to have any officer or soldier billetted or quartered on him or her, shall refuse to receive or victual any such officer or soldier so quartered or billetted upon him or her, as aforesaid; or in case any person or persons shall refuse to furnish or allow, according to the directions of this act, the several things herein-before directed to be furnished or allowed to officers and foldiers so quartered or billetted on him or her, or in the barracks, and hired uninhabited houses, outhouses, barns, or other buildings, as aforesaid, at the rate herein-after mentioned, and shall be thereof convicted before one of the magistrates of any one of the supreme chief or principal common law courts of the colony where such offence shall be committed, either by his own confestion, or by the oath of one or more credible witness or witnesfes, (which oath such magistrate of such court is hereby impowis any fum not ered toadminister;) every such constable, tithingman, magistrate, or other chief officer or person so offending, shall forfeit, for every such offence, the sum of five pounds sterling, or any sum or sums of money not exceeding five pounds, nor less than forty shillings, as the magistrate before whom the matter shall be heard shall in his discretion think fit; to be levied by distress and sale of the goods of the person offending, by warrant under the hand and feal of fuch magistrate before whom such offender

shall



# 1775.] Anno decimo quinto GEORGII III. C. 15.

shall be convicted, to be directed to a constable, or other officer, to be paid into within the village, town, township, city, district, or other place, the treasury of where the offender shall dwell; and shall direct the said sum of where the offive pounds, or such other sum as shall be ordered to be levied fence is comin pursuance of this act, as aforesaid, when levied, to be paid mitted. into the treasury of the province or colony where the offence shall be committed, to be applied towards the general charges

of the faid province or colony.

XIV. And, that the quarters both of officers and foldiers in his Officers to Majesty's said dominions in America may hereafter be duly paid and give notice to satisfied, be it enacted by the authority aforesaid, That from and innkeepers, after the twenty-fourth day of March, in the year one thousand &c. of subsistfeven hundred and seventy-five, every officer to whom it belongs ence money in their hands; to receive, or that does actually receive, the pay or subfistencemoney, either for a whole regiment, or particular companies, or otherwise, shall immediately, upon each receipt of every particular fum, which shall from time to time be paid, returned, or come to his or their hands, on account of pay or subsistence, give publick notice thereof to all perfons keeping inns, or other places where officers or foldiers are quartered by virtue of this act, and shall also appoint the said innkeepers and others to repair to their quarters at fuch times as they shall appoint, for the distribution and payment of the said pay and subfistence-money to the said officers or soldiers, which shall be within four days at farthest after receipt of the same, as aforesaid; and the faid innkeepers and others thall then and there acquaint fuch officer or officers with the accounts or debts (if any shall be) between them and the officers and foldiers fo quartered in their respective houses; which account the said officer or officers are hereby required to accept of, and immediately pay the same, before any part of the said pay or subsistence be distributed ei- and their acther to the officers or foldiers; provided the accounts exceed counts to be not for a commission officer of foot, being under the degree of paid off aca captain, for fuch officer's diet and small beer, per diem, one cording to the shilling; and if such officer shall have a horse or horses, for fistence here each horse or horses, for their hay and straw, per diem, sixpence; established. nor for one foot foldier's diet and small beer, cyder, or rum mixed as aforesaid, per diem, four-pence: and if any officer or officers, as aforefaid, shall not give notice, as aforesaid, and not immediately, upon producing such account stated, satisfy, con- officers not tent, and pay, the same, upon complaint, and oath made thereof giving such by any two witnesses, before two of his Majesty's justices for notice, the village, town, township, city, district, or other place, where fuch quarters were, (which oath fuch justices are hereby authorised and required to administer,) the paymaster or paymasters of his Majesty's guards and garrisons, upon certificate of the the accounts said justices before whom such oath was made of the sum due to be dischargupon such accounts, and the persons to whom the same is ow- ed out of their ing are hereby required and authorised to pay and satisfy the arrears of pay. faid sums out of the arrears due to the said officer or officers,

upon

If no arrears

out of the 1ubliftence-

regiment.

are due, then

money of the

Anno decimo quinto GEORGII III. C. 15. [1775.

upon penalty that such paymaster or paymasters shall forfeit their respective place or places of paymaster, and be discharged from holding the same for the future: and in case there shall be no arrears due to the said officer or officers, then the said paymaster or paymasters are hereby authorised and required to deduct the sums he or they shall pay, pursuant to the certificates of the said justices, out of the next pay or subsistence-money of the regiment to which such officer or officers shall belong; and such officer or officers shall, for every such offence, or for negand the officers lecting to give notice of the receipt of such pay or subsistenceto be cashired. money, as aforesaid, be deemed and taken, and is hereby de-

clared, to be ipso facto cashiered.

On nonpayment of quarters, for want of money, the up the accounts, and give certificates for the fums due.

XV. And where it shall happen that the pay or subsistence-money due to any officer or soldier within his Majesty's said dominions in America, Shall, by occasion of any accident, not be paid to such officer or soldier, or such officer or soldier shall neglect to pay the same, so officer to make that quarters cannot be or are not paid as this all directs; and where any forces shall be upon their march in his Majesty's said dominions in America, so that no subsistence can be remitted to them to make payment as this act directs, or they shall neglect to pay the same; in every such case, it is hereby further enacted, That every such officer shall, before his or their departure out of his or their quarters, where such regiment, troop, or company, shall remain for any time whatfoever, make up the accounts with every person with whom such regiment or company shall have quartered, and fign a certificate thereof, and give the faid certificate, fo by him figned, to the party to whom such money is due, with the name of fuch regiment or company to which he or they shall belong, to the end the faid certificate may be forthwith transmitted to the paymaster of his Majesty's guards and garrisons, who is hereby required immediately to make payment thereof to the person or persons to whom such money shall be due, to the end the same may be applied to such regiment or company respectively, under pain as before in this act directed for non-payment of quarters.

Justices may demand an account of quartering of the officers order to prevent and remedy abuses in quartering.

XVI. And for the better preventing abuses in quartering or billetting the soldiers in his Majesty's dominions in America in pursuance of this act, be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any one or more justices of the peace, or other officer, within their respective villages, and soldiers, in towns, townships, cities, districts, or other places, in his Majefty's said dominions in America, by warrant or order under his or their hand and feal, or hands and feals, at any time or times during the continuance of this act, to require and command any constable, tithingman, magistrate, or other chief officer, who shall quarter or billet any soldiers in pursuance of this act, to give an account in writing unto the faid justice or justices, or other officer requiring the same, of the number of officers and foldiers who shall be quartered or billetted by them, and also the names of the housekeepers or persons upon whom, and the barracks and hired uninhabited houses, or other buildings, as afc faid,



# 1775.] Anno decimo quinto GEORGII III. C. 15.

aforesaid, in which and where every such officer or soldier shall be quartered or billetted, together with an account of the street or place where every such housekeeper or person dwells, and where every fuch barrack or hired uninhabited house or building is or are, and of the figns (if any) which belong to their houses, to the end that it may appear to the said justice or justices, or other officer, where such officers or soldiers are quartered or billetted, and that he or they may thereby be the better enabled to prevent or punish all abuses in the quartering or billetting them.

XVII. And be it further enacted by the authority aforesaid, Justices, in That, for the better and more regular provision of carriages for pursuance of his Majesty's forces in their marches, or for their arms, clothes, orders received, are to iffue or accoutrements, in his Majesty's said dominions in America, orders to conall justices of the peace within their several villages, towns, stables to protownships, cities, districts, and places, being duly required vide carriages thereunto by an order from his Majesty, or the general of his for the troops forces, or of the general commanding, or the commanding of- march. ficer there, shall, as often as such order is brought and shewn unto one or more of them by the quarter-master, adjutant, or other officer of the regiment, detachment, or company, so ordered to march, iffue out his or their warrants to the constables. tithingmen, magistrates, or other officers of the villages, towns, townships, cities, districts, and other places, from, through, near, or to which fuch regiment, detachment, or company, shall be ordered to march, requiring them to make such provision for carriages, with able men to drive the same, as shall be mentioned in the said warrant, allowing them reasonable time to do the fame, that the neighbouring parts may not always bear the burden; and in case sufficient carriages cannot be provided within any fuch village, town, township, city, district, or other place, then the next justice or justices of the peace of the village, town, township, city, district, or other place, shall, upon fuch order as aforesaid being brought or shewn to one or more of them, by any of the officers as aforesaid, issue his or their warrants to the constables, tithingmen, magistrates, or other officers of such next village, town, township, city, district, or other place, for the purposes aforesaid, to make up such deficiency; and such constable, tithingman, magistrate, or other officer, shall order or appoint such person or persons, having carriages within their respective villages, towns, townships, cities, districts, or other places, as they shall think proper, to provide and furnish such carriages and men according to the warrant aforesaid; who are hereby required to provide and furnish the same accordingly.

XVIII. And be it further enacted, That the pay or hire for a Rates for car-New York waggon, carrying twelve hundred pounds cross riages. weight, shall be seven pence sterling for each mile, and for every other carriage in that and every other colony in his Majesty's said dominions in America, in the same proportion; and at or after the same rate or price for what weight every such other



Anno decimo quinto GEORGII III. C. 15. [1775. carriage shall carry; and that the first day's pay or hire for every fuch carriage shall be paid down by such officer to such constable, tithingman, magistrate, or other civil officer, who shall get or procure such carriages for the use of the owner or owners thereof; and the pay or hire for every such carriage after the first day, shall be paid every day, from day to day, by such officer as aforesaid, into the hands of the driver or drivers of such carriages respectively, until such carriages shall be discharged from such service, for the use of the owner and owners thereof.

Carriages not ry above 12 cwt.

XIX. Provided always, and be it further enacted, That no obliged to car- fuch waggon, cart, or carriage, imprest by authority of this act, shall be obliged or liable, by virtue of this act, to carry above twelve hundred weight, any thing herein contained to the contrary notwithstanding.

Nor to travel above one day's march, unless other carriages cannot be procured.

XX. Provided alto, That no fuch waggon, cart, or carriage, shall be obliged to travel more than one day's march, if within that time they shall arrive at any other place where other carriages may be procured; but in case other sufficient carriages cannot be procured, then such carriages shall be obliged to continue in the service till they shall arrive at such village, town, township, city, district, or other place, where proper and sufficient carriages for the service of the forces may be procured.

Penalty on neglecting to provide carriages.

XXI. And be it further enacted by the authority aforesaid, constables, &c. That if any constable, tithingman, magistrate, or other civil officer, within his Majesty's dominions in America, shall wilfully neglect or refuse to execute such warrants of the justices of the peace as shall be directed to them for providing carriages, as aforesaid; or if any person or persons appointed by such constable, tithingman, magistrate, or other civil officer, to provide or furnish any carriage and man, shall refuse or neglect to provide the fame, or any other person or persons whatsoever shall wilfully do any act or thing whereby the execution of the faid warrants may be delayed, hindered or frustrated; every such constable, tithingman, magistrate, civil officer, or other person so offending, shall, for every such offence, forfeit any sum not exceeding forty shillings sterling, nor less than twenty shillings, to be paid into the treasury of the province where any such offence shall be committed; to be applied towards the aforesaid contingent charges of the province: and all and every fuch offence and offences. and all and every other offence and offences in this act mentioned, and not otherwise provided, shall and may be enquired of, heard, and fully determined, by two of his majesty's justices of the peace, dwelling in or near the village, town, township, city, district, or place, where such offence shall be committed, who have hereby power to cause the said penalty to be levied by diffress and sale of the offenders goods and chattels, rendering the overplus, if any, to the owner.

Colony to repay the extra expences of carriages.

XXII. And whereas the allowance hereby provided for the payment of the corriages that may be necessary in the marching of troops may not be a sufficient compensation for the same, and to satisfy the con-Rables, tithingmen, magistrates, and other civil officers, their charges



### Anno decimo quinto Georgii III. c. 15.

and expences therein; for remedy whereof, be it further enacted by the authority aforefaid, That the constables, tithingmen, magistrates, and civil officers procuring such carriages, shall pay a reasonable expence or price for every carriage so procured; and that every such constable, tithingman, magistrate, civil officer, or other person, shall be repaid what he or they shall so expend, together with his or their own charges and expences attending the same, by the province or colony where the same shall arise.

XXIII. Provided always, and be it further enacted by the Where carriauthority aforefaid, That where it shall be necessary to take ages shall be waggons or other carriages for long marches, beyond the fettle- necessarily ments, an appraisement shall be made of the value of such horses long marches and carriages, at the time of the taking them up to be employed beyond the in fuch marches beyond the fettlements, by two indifferent per- fettlements, fons, one to be chosen by the commanding officer of such forces, the horses and and the other by the owner of such cattle or carriages, a certi-fairly appraisficate of which appraisement shall be given to the owner or ed; owners of such cattle or carriages respectively: and in case any and if lost or of the cattle or carriages, fo taken up for such service, shall, in destroyed, to the execution thereof, be lost or destroyed; that then, and in be paid for every such case, upon producing the said certificate, and proper according to vouchers, upon oath, of fuch loss or destruction, to the paymaster general of his Majesty's guards and garrisons, the said paymaster shall, and he is hereby required to pay to the respective owners of such cattle or carriages the sums specified in such certificates and vouchers to be the value of such cattle or carriages to loft or destroyed.

XXIV. And whereas several soldiers being duly inlisted in his Deserters may Majefly's service, do often desert such service; for remedy whereof, be apprehendbe it further enacted by the authority aforefaid, That it shall and ed, may be lawful to and for the constable, tithingman, magistrate, or other civil officer, of the village, town, township, city, district, or place, within the said dominions in America, where any person who may be reasonably suspected to be such deserter shall be found, to apprehend, or cause him to be apprehended; and to cause such person to be brought before any justice of the peace, or other chief magistrate, living in or near such village, town, township, city, district, or place, who hath hereby power to examine such suspected person; and if by his confession, or and committhe testimony of one or more witness or witnesses upon oath, or ted; the knowledge of such justice of the peace, or other magistrate, it shall appear or be found that such suspected person is a listed foldier, and ought to be with the regiment or company to which he belongs, such justice of the peace, or other magistrate, thall forthwith cause him to be conveyed to the gaol of the village, town, township, city, district, county, or place, where he shall be found, or to the house of correction, or other publick prison, in such village, town, township, city, district, county, or place, where such deserter shall be apprehended, and transmit an account thereof to the commander in chief of his Majesty's forces in the said dominions in America, or to the commanding officer

of

gaoler to receive their fubfistencemoney, for maintenance,

but no fee for their imprisonment.

Penalty on persons harbouring deserters;

or buying foldiers arms or cloaths, &c. Anno decimo quinto GEORGII III. c. 15. [1775. of the forces posted nearest to such justice or justices, or other magistrate or magistrates for the time being, to the end that such person may be proceeded against according to law: and the gaoler or keeper of such gaol, house of correction, or prison, shall-receive the full subsistence of such deserter or deserters, during the time that he or they shall continue in his custody, for the maintenance of such deserter or deserters, but shall not be intitled to any see or reward on account of the imprisonment of such deserter or deserters, any law, usage, or custom, to the con-

trary notwithstanding.

XXV. Provided always, That if any person shall harbour, conceal, or assist, any deserter from his Majesty's service, within his Majesty's said dominions in America knowing him to be fuch, the person so offending shall forfeit, for every such offence, the sum of five pounds; or if any person shall knowingly detain, buy, or exchange, or otherwise receive, any arms, cloaths, caps, or other furniture, belonging to the King, from any soldier or deserter, or any other person, upon any account or pretence whatsoever, within his Majesty's dominions in America, or cause the colour of fuch cloaths to be changed; the person so offending shall forfeit, for every such offence, the sum of five pounds; and upon conviction upon the oath of one or more credible witness or witnesses, before any of his Majesty's justices of the peace, the said respective penalties of five pounds, and five pounds, shall be levied by warrant under the hands of the said justice or justices of the peace, by distress and sale of the goods and chattels of the offenders, one moiety of the said first-mentioned penalty of five pounds to be paid to the informer by whose means such deserter shall be apprehended, and one moiety of the faid last mentioned penalty of five pounds to be paid to the informer, and the residue of the said respective penalties to be paid to the officer to whom any fuch deferter or foldier did belong: and in case any such offenders, who shall be convicted as aforesaid of harbouring or affisting any such deserter or deserters, or having knowingly received any arms, cloaths, caps, or other furniture, belonging to the king; or having caused the colour of fuch cloaths to be changed, contrary to the intent of this act, shall not have sufficient goods and chattels whereon distress may be made to the value of the penalties recovered against him for fuch offence, or shall not pay such penalties within four days after such conviction; then, and in such case, such justice of the peace shall and may, by warrant under his hand and seal, commit such offender to the common gaol, there to remain without bail or mainprize for the space of three months, or cause such offender to be publickly whipt, at the discretion of fuch justice.

Persons perfuading soldiers to desert, to forseit 401.

XXVI. And whereas evil disposed persons frequently endeavour to delude his Majesty's good subjects who have engaged themselves as soldiers in the service of his Majesty and their country, and to prevail with them to desert the same; for remedy whereof, and for the more effectual and exemplary punishment of offenders in that behalf, within



#### ¥775-] Anno decimo quinto Georgii III. c. 15.

his Majefly's colonies and plantations in America, be it further enacted by the authority aforesaid, That if any person or persons whatfoever, (other than fuch as are or shall be inlisted as foldiers, against whom sufficient remedy is already provided by law,) shall, by words, or other means whatsoever, directly or indirectly, persuade or procure any soldier or soldiers in the service of his Majesty, his heirs or successors, within any of the said colonies or plantations, to defert or leave fuch service, or shall go about and endeavour, in manner aforesaid, to persuade, prevail, or procure, such soldier or soldiers to desert or leave such service as aforesaid, and being thereof lawfully convicted, shall, for every fuch offence, forfeit to his Majesty, his heirs and successors, or any other person or persons who shall sue for the same, the sum of forty pounds; to be recovered by bill, plaint, or information, in any of his Majesty's courts of record within the province or place where the offence shall be committed, wherein no essoin, protection, or wager of law, shall be allowed; and if it shall or suffer fix happen that such offender, so convicted as aforesaid, shall not months imprihave goods or chattels, lands or tenements, to the amount or discretion of value of the faid fum of forty pounds, to pay and fatisfy the faid the court. penalty, or that from the circumstances or heinousness of the crime it shall be thought proper and convenient, the court before which the said conviction shall be made as aforesaid shall award the faid offender to prison, there to remain for any time not exceeding fix months, without bail or mainprize, and also to stand in the pillory for the space of one hour, in some market town next adjoining to the place where the offence was committed, in open market there, or in the market town itself where the fact was committed.

XXVII. Provided always, That no such action shall be When actions brought, or profecution carried on, by virtue of this act, unless may be comthe same be commenced within six months after the offence menced. committed.

XXVIII. And be it further enacted, That no commission of. Penalty 201 if ficer shall break open any house within his Majesty's dominions any officer break open a in America, to search for deserters, without warrant from a justice house to search of the peace, and in the day-time; and that every commission for deserters. officer who shall in the night, or without warrant from one or without warmore of his Majesty's justices of the peace, (which said warrants rant. the faid justice or justices are hereby impowered to grant,) forcibly enter into, or break open, the dwelling-house or outhouses of any person whatsoever, under pretence of searching for deserters, shall, upon due proof thereof, forfeit the sum of twentypounds.

XXIX. And whereas several crimes and offences have been and Persons not may be committed by several persons not being soldiers, of several forts being soldiers or garrisons, and several other places within his Mojesty's dominions committing in America, which are not within the limits or jurisdiction of any in any fort or civil government there hitherto established, and which crimes and of- garrison, &c. fences are not properly cognizable or triable and punishable by a courtmartial, but by the civil magistrate, by means whereof several great



Anno decimo quinto GEORGII III. c. 15. [1775

jurifdiction of any civil government,

hended;

and being charged on oath with the offence, may be committed to fate cuftody till delivered over to the civil magistrate.

Suits in what courts to be profecuted.

How the troops are to pay in paffing terries.

not within the crimes and offences may go unpunished, to the great scandal of government; for remedy whereof, be it enacted by the authority aforesaid, That from and after the twenty-fourth day of March, in the year one thousand seven hundred and seventy-five, and for fo long afterwards as this act shall continue in force, if any perfon or persons, not being a soldier or soldiers, do or shall commit any crime or crimes, or offence or offences, in any of the said forts, garrisons, or places, within his Majesty's dominions may be appre- in America, which are not within the limits or jurisdiction of any civil government hitherto established, it shall and may be lawful for any person or persons to apprehend such offender or offenders, and to carry him, her, or them, before the commanding officer for the time being of his Majesty's forces there; and fuch offender being charged upon oath, in writing, before the faid commanding officer, and which oath the faid commanding officer is hereby impowered to administer, that then, and in every fuch case, the said commanding officer shall receive and take into his custody, and safely keep every such offender, and shall convey and deliver, or cause to be conveyed and delivered, with all convenient speed, every such offender to the civil magistrate of the next adjoining province, together with the cause of his or her detainer, to be committed and dealt with by such civil magistrates or magistrate according to law; and every such civil magistrate is hereby commanded and required to commit every fuch offender, that he or she may be dealt with according to law; and in every such case, it shall and may be lawful to prosecute and try every such offender in the court of such province or colony where crimes and offences of the like nature are usually tried, and where the same would be properly tried, in case such crime or offence had been committed within the jurisdiction of fuch court; and fuch crime shall and may be alledged to be committed within the jurisdiction of such court; and such court shall and may proceed therein to trial, judgement, and execution, in the same manner as if such crime or offence had been really committed within the jurisdiction of such court, any law, usage, custom, matter, or thing whatsoever, to the contrary notwithstanding.

XXX. And be it further enacted by the authority aforesaid, That every bill, plaint, action, or fuit, against any person or persons, for any act, matter, or thing, to be asted or done in pursuance of this act, or the said other in-part recited act, in any of his Majesty's dominions in America, shall be brought and prosecuted in and before some principal court of record in the colony where such matter or thing shall be done or committed; and in case the same shall not be done or committed within the jurisdiction of any fuch court, then in the court of the colony next to the place where the same shall be done and committed, and in no other court whatfoever.

XXXI. And be it further enacted by the authority aforesaid, That where any troops or parties upon command have occasion in their march, in any of his Majesty's dominions in

Anic-



### 1775.] Anno decimo quinto Georgii III. C. 15.

America, to pass regular ferries, it shall and may be lawful for the commanding officer either to pass over with his party as passengers, or to hire the ferry-boat entire to himself and his party, debarring others for that time in his option; and in case he shall chuse to take passage for himself and party as passengers, he shall only pay for himself, and for each person, officer or soldier, under his command, half of the ordinary rate payable by fingle persons at any such ferry; and in case he shall hire the ferry-boat for himself and party, he shall pay half of the ordinary rate for such boat or boats; and in such places where there are no regular ferries, but that all passengers hire boats at the rate they can agree for, officers with or without parties are to agree for boats at the rates that other persons do in the like cases.

XXXII. And be it further enacted by the authority aforesaid, Pecuniary pe-That all sum and sums of money mentioned in this act, and all naities to be penalties and forfeitures whatfoever to be incurred or forfeited rate of 45. 8d. for any offence, cause, matter, or thing whatsoever, to be done, Sterling the committed, or omitted to be done, in his Majesty's colonies and Spanish milled dominions in America, contrary to the true intent and meaning dollar. of this act, shall be, and shall be paid and for feited in lawful money of the colony or place where the same shall be forfeited or become due, at the rate of four shillings and eight-pence sterling

money for a Spanish milled dollar, and not otherwise.

XXXIII. Provided always, and be it enacted by the autho- This act not to rity aforesaid, That nothing in this act contained, touching the extend to any quartering his Majesty's forces, and the supplying them in their province, quarters, and the furnishing carriages on their marches, and on while any law other necessary occasions. Shall extend or be construed to or fuch proother necessary occasions, shall extend, or be construed to ex- vince for protend, to any province, colony, or plantation, during fuch time viding quaras any law of fuch province, colony, or plantation, which shall ters, &c. shall have received the confirmation of his Majesty in council, shall be in force. be in force for providing quarters for his Majesty's officers and soldiers, and for furnishing them in their quarters, and for providing carriages for them on marches, or on any other necessary occasion, within such province, colony, or plantation.

XXXIV. Provided always, and be it enacted, That when- Civil magiever any troops shall march through, or be stationed in, any strates, &c. place in North America, it shall and may be lawful for the civil may, by mumagistrates, select-men, or other person or persons, (appointed ment, provide by act of parliament, or by any law of such province, colony, quarters, &c. or plantation, as aforesaid, to quarter and make provision for troops,) as likewise for the officer commanding the troops so marching or stationed, as aforesaid, by mutual agreement, signed by the respective parties, to provide quarters for the said troops, in any manner most convenient to them and to the country, any act or thing to the contrary notwithstanding, so as that no expence be brought on the crown by fuch agreement.

XXXV. And be it further enacted by the authority aforesaid, Limitation of That if any action, bill, plaint, or fuit, shall be brought or actions. commenced against any person or persons for any act, matter, or thing, done or acted in pursuance of this act, that it shall and

32

General isfue.

Anno decimo quinto Georgii III. c. 16. 1775. may be lawful to and for all and every person or persons so sued to plead thereto the general issue, that he or they are not guilty, and to give the special matter in evidence to the jury who shall try the cause; and if the verdict therein shall pass for the defendant or defendants, or the plaintiff or plaintiffs therein shall become nonfuit, or fuffer a discontinuance, or by any other means judgement therein shall be given for the defendant or defendants therein; that in every such case the justice or justices, or other judge or judges of the court in which fuch action shall be brought, shall by force and virtue of this act, allow unto fuch defendant or defendants his or their treble costs, which he or they shall have fustained or be put to by reason of the defence of such suit, for which costs such desendant and desendants shall have the like remedy as in other cases where costs are by the law given to defendants.

This act to rine forces

in America.

Treble costs.

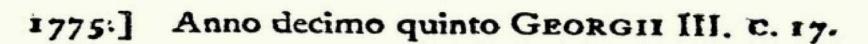
XXXVI. And whereas, during the continuance of this act, there extend to ma- may be occasion for the marching and quartering of some of his Mawhile on thore jesty's marine forces in some parts of his Majesty's dominions in America; be it therefore further enacted by the authority aforefaid, That this act, and all and fingular the clauses and provisions herein mentioned and contained, as well relating to the quartering and billetting of his Majesty's land forces in his dominions in America, and providing them with carriages on their marches, as also relating to all and every other provision, regulation, penalty, punishment, matter, and thing, herein provided. enacted, and made, with respect to the said land forces, shall be deemed, construed, and taken to extend, and the same, and all and every part and parts thereof, and of this act, are, in all refpects, and to all intents and purposes whatsoever, hereby extended to his Majesty's marine forces while on shore, in any of his Majesty's dominions in America, as fully and effectually, to all intents and purpoles, as if the faid marine forces had herein been particularly mentioned in conjunction with his Majesty's other forces.

This act to be in force from March 24, 3775, to March 34, **2777**-

XXXVII. And be it further enacted by the authority aforefaid, That this act, and every thing herein contained, shall continue and be in force in all his Majesty's dominions in America, from the twenty-fourth day of March, in the year one thousand seven hundred and seventy-five, until the twentyfourth day of March, in the year of our lord one thousand seven hundred and feventy-feven.

#### CAP. XVI.

An act to enable fir Nigel Gresley baronet, and Nigel Bowyer Gresley esquire, his fon, to make and maintain a navigable cut or canal from certain coal mines in Apedale to Newcastle under Line, in the county of Stafford.



### CAP. XVII.

An all to indemnify such persons as have omitted to qualify themselves for offices and employments; and to indemnify justices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving surther time for those purposes; and to indemnify members and officers, in cities, torperations, and borough towns, whese admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or missaid; and for allowing them time to provide admissions duly stamped; and to give surther time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors.

HEREAS divers persons, who, on account of their offices, Preamble. places, employments, or professions, or any other cause or occasion, ought to have taken and jubscribed the eaths, or the assurance respectively, appointed to be by such persons taken and subscrived, in and by an all made in the first year of the reign of his late majesty King Persons who George the First, of gloricus memory, (intituled, An act for the have omitted further security of his Majesty's person and government, and to take the the specific of the crown in the heirs of the late princess Sablic oaths appointthe succession of the crown in the heirs of the late princess Sophia, ed by act being protestants; and for extinguishing the hopes of the pre- , Geo. r. tended prince of Wales, and his open and secret abettors;) or to have qualified themselves according to an act, made in the thirteenth Act 13 Car. 2. year of the reign of King Charles the Second, (intituled, An act for the well-governing and regulating corporations;) or to have qualifted themselves according to another act, made in the twenty fifth year Act 25 Car. 1. of the reign of King Charles the Second, (intituled, An act for preventing the dangers which may happen from popish recusants, by receiving the facrament of the Lord's supper, according to the usage of the church of England, and making and subscribing the declaration against transubstantiation therein mentioned;) or according to another all, made in the thirtieth year of the reign of King Alt 30 Car. 2. Charles the Second, (intituled, An act for the more effectual preferving the King's person and government, by disabling papists from fitting in either house of parliament;) or according to another att, made in the eighth year of the reign of his late majesty King George Att & Geo. 1. the First, (intituled, An act for granting the people called Quakers fuch forms of affirmation or declaration as may remove the difficulties which many of them lie under;) or according to another att, made in the ninth year of the reign of his late majesty King George Act 9 Geo. 1. the Second, (intituled, An act for indemnifying persons who have omitted to qualify themselves for offices within the time limited by law, and for allowing further time for that purpole; and for amending so much of an act, passed in the second year of the reign of his present Majesty, as requires persons to qualify themlelves for offices before the end of the next term, or quarter feffions; and also for enlarging the time limited by law for making and subscribing the declaration against transubstantiation; and for allowing a further time for involment of deeds and wills made Vol. XXXI.

Anno decimo quinto GEORGII III. C. 17. [1775. 34

by papists; and for relief of protestant purchasers, devisees, and Act 18 Geo. 2. leffees;) or according to another act, made in the eighteenth year of the reign of his late majesty King George the Second, (intituled, An act to amend and render more effectual an act, passed in the fifth year of his present Majesty's reign, intituled, An act for the further qualification of justices of the peace;) or according to another act,

3-

and act 6 Geo made in the fixth year of the reign of his present Majesty, (intituled, An act for altering the oath of abjuration, and the affurance; and for amending so much of an act, made in the seventh year of her late majesty Queen Anne, intituled, An all for the improvement of the union of the two kingdoms, as, after the time thereinlimited, requires the delivery of certain lifts and copies therein mentioned to persons indicted of high treason, or misprision of treason;) have, through ignorance of the law, absence, or some unavoidable accident, omitted to take and subscribe the said oaths and affurance, and make and subscribe the declaration required by law, or otherwise to qualify themselves as aforesaid, within such time, and in fuch manner, as in and by the faid acts respectively, or by any other act of parliament in that behalf made, is required, whereby they have incurred, or may be in danger of incurring, divers penalties and disabilities: for quieting the minds of his Majesty's subjects, and for preventing any inconveniencies that might otherwise happen by means of such omissions; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and not qualifying by the authority of the same, That all and every person or perbefore the par- fons, who, at or before the passing of this act, hath or shall have fing of this act, omitted to take and subscribe the said oaths and declarations, or to receive the facrament of the Lord's supper, or otherwise to qua-

25, 1776,

act of parliament in that behalf made, is required; and who, after accepting any such office, place, or employment, or undertaken any profession or thing on account of which such qualification ought to have been had, and is required, before the passing of this act, hath or have taken and subscribed the said oaths, or made the declarations required by law, and also received the sacrament of the Lord's supper, according to the usage of the or before Dec. church of England, or who, on or before the twenty-fitth day of December, one thousand seven hundred and seventy-fix, shall take and subscribe the said oaths, declarations, and affurance respectively, in such cases wherein by law the said oaths, declarations, and affurance, ought to have been taken or subscribed, in such manner and form, and at or in fuch place or places, as are appointed in and by the said act, made in the first year of the reign of his said late majesty King George the First, or by any other act or acts of parliament in that behalf made and provided, and also hath or have received, or shall, on or before the said twenty-fifth day of December, one thousand seven hundred and seventy-six, receive the facrament of the Lord's supper, according to the usage of the church of England, in such cases wherein the said facrament

lify him, her, or themselves, within such time, and in such manner, as in and by the said acts, or any of them, or by any other



# Anno decimo quinto Georgii III. C. 17.

facrament ought to have been received, and hath or have made and fubscribed, or shall, on or before the faid twenty-fifth day of December, one thousand seven hundred and seventy-six, make and subscribe the said declaration against transubstantiation, and also hath or have made and subscribed, or shall, on or before the said twenty-fifth day of December, one thousand seven hundred and feventy-fix, make and fubscribe the faid declaration, in the said statute made in the thirtieth year of King Charles the Second, infuch cases wherein the said declarations ought to have been made and subscribed, and take and subscribe the oath directed by the said act made in the eighteenth year of the reign of his late majesty King George the Second, in such cases wherein the faid oath ought to have been taken and subscribed, in such manner as by the said act is directed, shall be, and are hereby indem- indemnisted nified, freed, and discharged, from and against all penalties, for- against forseifeitures, incapacities, and disabilities, incurred, or to be incurred, for or by reason of any neglect or omission previous to the passing of this act, of taking or subscribing the said oaths or assurance, or receiving the facrament, or making or subscribing the said declarations, or taking or subscribing the said oath, according to the above-mentioned acts, or any of them, or any other act or acts; and such person and persons is and are, and shall be, fully and actually recapacitated and restored to the same state and condition as he, she, or they, were in before such neglect or omisfion, and shall be deemed and adjudged to have duly qualified him, her, or themselves, according to the above-mentioned acts, and every of them: and that all elections of, and acts done, or to be done, by any fuch person or persons, or by authority derived from him, her, or them, are and shall be of the same force and validity as the same, or any of them, would have been if fuch person or persons respectively had taken the said oath or asfurance, and received the facrament of the Lord's supper, and made and subscribed the said declarations, and taken and subferibed the said oath, according to the direction of the said acts, and every or any of them; and that the qualification of fuch perfon or persons, qualifying themselves in manner, and within the time appointed by this act, shall be, to all intents and purposes, as effectual as if such person or persons had respectively taken the faid oaths and affurance, and received the facrament, and made and subscribed the said declaration, and taken and subscribed the faid oath, within the time, and in the manner appointed by the feveral acts before mentioned.

II. Provided always, That this act, or any thing herein con- Not to indemtained, shall not extend, or be construed to extend, to indemnify fon for any peany person against whom final judgment shall have been given, nalty incurred in any action of debt, bill, plaint, or information, in any of his by neglecting Majesty's courts of record, for any penalty incurred by having to qualify neglected to qualify himself within the time limited by law.

III. And whereas the appointments of divers clerks of the peace, town clerks, and other publick officers, and the admissions of divers members, and officers of cities, corporations, and borough totuns, or the



### Anno decimo quinto GEORGII III. C. 17: [1775.

Persons producing appointments and admissions before Dec. 25, 1776,

fhall be confirmed, and qualified to act as clerk, officer, or member of corporations, &c. may enjoy all offices into which they have been elected; and shall be indemnified from all penalties and damages incurred by reafon of omiffions.

Not to extend to reftore pertons to any office avoided by judgment.

the entries of such admissions in the court books, rolls, or records, of fuch cities, corporations, and borough towns, which by several acts of parliament are directed and required to be flamped, may not have been provided, or the same not stamped, or may have been lost or missaid; be it further enacted by the authority aforesaid, That, for the relief of fuch persons whose appointments and admissions, or the entries of whose admissions as aforesaid may not have been provided, or not duly stamped, or where the same have been lost or missaid, it shall and may be lawful to and for such persons, on or before the twenty-fifth day of December, one thousand seven hundred and seventy-six, to provide, or cause to be provided, appointments and admissions, or entries of admissions, as aforefaid, duly stamped; or, in case where such appointments, admissions, or entries of admissions, as aforesaid, have been made or provided, but have not been duly stamped, to produce such appointments, admissions, or entries of admissions, as aforesaid, to the commissioners appointed to inspect and manage the revenues of the stamp duties, to be duly stamped; which such commissioners are hereby authorized, impowered, and required, to duly stamp, on payment of the duties first payable, or to have been paid on such appointments, admissions, or entries of admissions, as aforesaid, without any fine or forfeiture thereon; and fuch persons so providing appointments, admissions, or entries of admissions, as aforesaid, duly stamped, or procuring the same to be duly stamped, in manner aforesaid, are and shall be hereby confirmed and qualified to act as clerk of the peace, town clerk, or other publick officer, or member or members, officer or officers, of fuch cities, corporations, and borough towns respectively, to all intents and purposes; and shall and may hold and enjoy, and execute such offices, or any other office or offices into which he or they hath or have been elected, notwithstanding his or their omission, or the omission of any of their predecessors, in such cities, corporations, or borough towns, as aforefaid; and shall be indemnified and discharged of and from all incapacities, disabilities, forfeitures, penalties, and damages, by reason of any such omission; and none of his or their acts shall be questioned or avoided by reason of the same.

IV. Provided always, That this act, or any thing herein contained, shall not extend, or be construed to extend, to restore or intitle any person or persons to any office or employment, benefice, matter, or thing whatsoever, already actually avoided by judgment of any of his Majesty's courts of record, or already legally filled up and enjoyed by any other person; but that such office, employment, benefice, matter, or thing, so avoided, or legally filled up and enjoyed, shall be and remain in and to the person or persons who is or are now, or shall, at the passing of this act, be legally intitled to the same, as if this act had never been made.

V. And whereas many persons have omitted to cause affidavits to be made, and afterwards to be filed in the proper office, of the actual execution of several contracts in writing entered into by them to serve as elected



### Anno decimo quinto GEORGII III. C. 18.

sterks to attornies or folicitors, within the time in which the same ought to bave been done, and many infants, and others, may thereby incur certain disabilities; for preventing thereof, and relieving such persons, be it enacted by the authority aforesaid, That every person who, Persons who at the passing of this act, shall have neglected or omitted to cause shall cause afany fuch affidavit or affidavits as aforesaid to be made and filed, fidavits to be and who, on or before the first day of Michaelmas term, one thou- Michaelmas fand seven hundred and seventy-five, shall cause one or more af- term, 1775, adavit or affidavits to be made, and afterwards to be filed, in fuch manner as the same ought to have been made and filed in due time, shall be, and is hereby indemnissed, freed, and dif- are indemnicharged, from and against all penalties, forfeitures, incapacities, fied, and disand disabilities, in or by any act or acts of parliament mentioned charged from and incurred, or to be incurred, for or by reason of such neglect penaities. or omission; and every such affidavit and affidavits so to be made, and which shall be duly filed on or before the said first day of Michaelmas term, one thousand seven hundred and seventyfive, shall be as effectual, to all intents and purposes, as if the same had been made and filed within the respective times the fame ought, by the laws now in being for that purpose, to have been made and filed.

VIII. And be it further enacted, That in case any action, suit, Persons probill of indictment, or information, shall, from and after the secuted and passing of this act, be brought, carried on, or prosecuted, against hereby meant any person or persons hereby meant or intended to be indemninified, may
fied, recapacitated, or restored, for or on account of any forseiplead the geture, penalty, incapacity, or disability whatsoever incurred, or to neral issue. be incurred, by any fuch neglect or omission, such person or perfons may plead the general iffue, and, upon their defence, give this act, and the special matter, in evidence, upon any trial to be had thereupon.

### C A P. XVIII.

An act to restrain the trade and commerce of the colonies of New Jerfey, Pensylvania, Maryland, Virginia, and South Carolina, to Great Britain, Ireland, and the British islands in the West Indies, under certain conditions and limitations.

HEREAS by an act, made in the twelfth year of the reign of Preamble. King Charles the Second, intituled, An act for the encou- Clause in act raging and increasing of shipping and navigation; and by several 12 Car. 2. re-Subjequent alls of parliament, which are now in force, it is, among other things, enacted, That for every ship or vessel which shall load any commodities, in those acts particularly enumerated, at any British plantation, being the growth, product, or manufacture thereof, bonds shall be given, with one surety, to the value of one thousand pounds, if the ship be of less burthen than one hundred tons, and of the sum of two thousand pounds, if the ship be of greater burthen, that the Same commedities shall be brought by such ship or vessel to some other British plantation, or to some port in Great Britain: and whereas, by several other acts of parliament which are now in force, no commodities of the growth, product, or manufacture, of Europe, (except falt for

1775, no

being the

are to be

ed in, and by

act 12 Car. 2.

growth, pro-

duct, &c of

brought into tome other

British colo-

my, or into

and that no

lonies men-

to any other



# Anno decimo quinto GEORGII III. C. 18. [1775.

for the fisheries, wines of the Madeiras and Azores and Western Islands, and victual and linen cloth from Ireland, under the restric-

tions in such acts particularly mentioned,) can be imported into any plantation, colony, territory, or place, belonging to his Majesty, in Alia, Africa, or America, but what shall be bona fide, and without fraud, laden and Shipped in Great Britain, and carried directly from thence: and whereas, during the continuance of the combinations and disorders, which at this time prevail within the colonies of New Jerfey, Pensylvania, Maryland, Virginia, and South Carolina, to the obstruction of the commerce of these kingdoms, and other his Majesty's dominions, and in breach and violation of the laws of this realm, it is highly unfit that the inhabitants of the said colonies should enjoy the same privileges of trade, and the same benefits and advantages to which his Majesly's faithful and obedient subjects are intitled; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and After July 20, by the authority of the same, That from and after the twentieth day of July, one thousand seven hundred and seventy-five, and goods, wares, during the continuance of this act, no goods, wares, or mer-&c. enumerat. chandises, which are particularly enumerated in, and by the said act made in the twelfth year of King Charles the Second, or any other act, being the growth, product, or manufacture, of the colonies of New Jersey, Pensylvania, Maryland, Virginia, and New Jersey, &c. South Carolina, in North America, or any or either of them, are to be brought to some other British colony, or to Great Britain; or any such enumerated goods, wares, or merchandise, which shall at any time or times have been imported or brought into the faid colonies, or any or either of them, shall be shipped, car-Great Britain; ried, conveyed, or transported, from any of the said colonies respectively, to any land, island, territory, dominion, port, or place whatsoever, other than to Great Britain, or some of the British islands in the West Indies, to be laid on shore there; and that no other goods of other goods, wares, or merchandises whatsoever, of the growth, the manufacture of the co. product, or manufacture, of the colonies herein-before mentioned. or which shall at any time or times have been imported or brought into the same, shall, from and after the faid twentieth day of July. tioned are to be transported and during the continuance of this act, be shipped, carried, conveyed, or transported, from any of the said colonies respectively, place except to to any other land, island, territory, dominion, port, or place Great Britain or Ireland, &c. whatfoever, except to the kingdoms of Great Britain or Ireland, or to some of the British islands in the West Indies, to be laid on shore there; any law, custom, or usage, to the contrary notwith-

Bonds, with standing. ter's, before taking on board any faid colonies.

fureries, to be II. And be it further enacted by the authority aforesaid, That given, besides from and after the said twentieth day of July, before any ship or vessel shall lade or take on board any goods, as aforesaid, in any or either of the colonies before mentioned, sufficient bond, with one surety, besides the master of such ship or vessel, shall be given growth, &c. of to the collector, or other principal officer of the customs at the port or place where such goods are intended to be laden or taken



#### Anno decimo quinto GEORGII III. C. 18. 1775-]

on board, in the penalty of one thousand pounds if the ship be of less burthen than one hundred tons, and of the sum of two thousand pounds if the ship shall be of that or any greater burthen; with condition, that such enumerated goods shall not be landed or put on shore at or upon any other land, island, territory, dominion, port, or place whatfoever, except fome port or place within the kingdom of Great Britain, or some of the British islands in the West Indies; and that all other goods, wares, or merchandites, fo intended to be laden as aforefaid, shall not be landed or put on shore at or upon any land, island, territory, dominion, port, or place whatfoever, other than and except fome port or place within the kingdoms of Great Britain or Ireland, or some of the British islands of the IVest Indies; and with further condi- Shipmasters to tion, to bring a certificate in discharge thereof, within eighteen deliver certifimonths from the date of such bond, for such of the said goods cates of the as shall be entered for, or landed in, Great Britain or Ireland re- goods, spectively; and within fix months for such of the said goods as shall be entered for, or landed in, any of the British islands in the West Indes; which respective certificates shall be under the which are to hands and seals of office of the collector and comptroller, or other the collector principal officer of the customs, resident at the port or place where at the port fuch goods shall be landed, testifying the landing thereof; or where landed. fuch bond or bonds shall and may be discharged by proof upon oath, made by credible persons, that the said goods were taken by enemies, or perished in the seas.

faid, That where any fuch bond or bonds shall be given as afore- After bonds said, in pursuance of this act, the collector, or other principal have been deofficer of the customs, to whom such bond or bonds shall have tor to certify been given, shall deliver, under his hand and seal of office, with- the same. out fee or reward, to the master of the ship or vessel taking in fuch goods, for the fecurity of her navigation, a certificate, that fuch bond or bonds hath or have been given, expressing therein the quantity and species of the goods, with the marks and numbers of the packages, and the port or place for which they were entered; and if any such goods shall be laden on board any such Goods laden thip or vessel, in any of the colonies in this act before mention- on board beed, before such bond or bonds shall be given, or shall be found en, or without on board any ship or veilel without the certificate herein-before certificate, are directed, that fuch bond or bonds hath or have been given, the to be forfeired goods so laden, together with the ship or vessel, with her guns, with the ship, ammunition, tackle, apparel and furniture, shall be forfeited; and if any goods, so laden as aforesaid, shall be landed or discharged at any port or place contrary to the intent and meaning of this act, over and above the penalty of the bond or bonds, the shipper and owner of such goods, and the master or person taking charge of the vessel on board which they were laden, shall respectively forfeit the full value of the goods so landed or discharged, to be estimated according to the highest price or value

III. And it is hereby further enacted by the authority afore-

fore bond giv-

may

which such fort of goods bear in the colony where, and at the



### Anno decimo quinto GEORGII III. C. 18. [1775.

may be seized and prosecuted, or the value of such goods prosecuted for, by any admiral, chief commander, or commissioned officer, of his Majesty's fleet or ships of war, or by any officer of his Majesty's customs, in the manner herein-after directed. .

1775, certain goods proni-bited to be brought into the colonies,

fraud fhipped from Great Britain.

This act not to extend to goods, &c. neceffary for his of war or forts, &c.

Nor to hinder portation of goods from the British West India islands into the fald colonies.

No goods to be thipped from N Wcaftle, Kent,

IV. And it is hereby further enacted by the authority afore-After Sept. 1, said, That from and after the first day of September, one thousand feven hundred and seventy-five, and during the continuance of this act, no fort of wines, falt, or any goods or commodities whatfoever, (except horses, victual, and linen cloth, the produce and manufacture of Ireland, imported directly from thence,) shall be imported into any of the faid colonies herein-before respecunless without tively mentioned, upon any pretence whatsoever, unless such goods thall be bona fide, and without fraud, laden and thipped in Great Britain, and carried directly from thence, upon forfeiture thereof, and of the ship or vessel on board which such goods shall be laden; and it shall be lawful for any admiral, chief commander, or commissioned officer of his Majesty's fleet or thips of war, or any officer of his Majesty's customs, to seize any thip or vessel arriving at any of the said colonies before mentioned, or which shall be discovered within two leagues of any shore thereof, having such goods on board, and the goods laden thereon, (except as before excepted,) for which the master, or other person taking charge of such ship or vessel, shall not produce a cocket or clearance from the collector, or proper officer of his Majesty's customs, certifying, that the said goods were laden on board the said ship or vessel in some port of Great Britain, any law, custom, or usage, to the contrary notwithstanding.

V. Provided always, and it is hereby further enacted by the authority aforesaid, That this act, or any thing herein contained, shall not extend, or be construed to extend, to prohibit the exportation or carrying out from any of the colonies before men-Majetty's thips tioned, or the importation into the same, of any goods or commodities whatsoever, for the victualling or providing any of his Majesty's hips of war, or other ships or vessels in his Majesty's service, or for his Majesty's forces, forts, or garrisons; any thing herein contained to the contrary notwithstanding,

VI. And provided also, That nothing herein contained shall the lawful im extend, or be construed to extend, to hinder or restrain the lawful importation into any or either of the said colonies herein-before mentioned, from any of the British islands in the West Indies, of any such goods or commodities, being the growth or produce thereof, as may now by law be imported from thence into the faid colonies, or any or either of them.

VII. And, in order to prevent frauds and abuses which may be committed contrary to the intention and against the provisions of this act, by the exportation of any goods of the growth, product, or manufacture of the colonies of New Jersey, Pensylvania, Maryland, and Virginia, from any of the ports within the government of the counties of Newcastle, Kent, and Sussex on Delaware, in North America, it is hereby further enacted by the authority aforesaid, That during the continuance of this act, no goods or commodities whatfoever shall



# 1775.] Anno decimo quinto Georgii III. c. 18.

be shipped, to be carried from any port or place within the said &c. except to counties of Newcostle, Kent, and Sussex on Delaware, or either of Great Britain them, to any other land, port, or place whatsoever, except to the oath be made kingdoms of Great Britain or Ireland, or to some of the British that such islands in the West Indies, until the owner or exporter of such goods are the goods shall have made oath, or being one of the people called product, &c. of Quakers, shall have affirmed, before the collector or other proper the said counofficer of the customs at the port or place where the same shall be shipped, (which oath or affirmation such collector or other officer is hereby anthorized to administer,) that such goods are really and bona fide of the growth, product, or manufacture of one or other of the said counties; of which fact, the collector and a certifior other proper officer of the customs shall and is hereby requir- cate granted; ed to give a certificate, under his hand, to the master of the ship or vessel on board which such goods are laden, for the security of her navigation; and in failure of producing such certificate, on failure, the such ship or vessel, and the goods thereon laden, shall be forfeit- goods to be ed, and shall and may be seized and prosecuted as herein-after di-forseited. rected.

VIII. And whereas it is the intent and meaning of this act, that the several probibitions and restraints herein-before enacted should be discontinued and cease, so soon as the trade and commerce of his Maje-By's subjects may be carried on without interruption within the said colonies; be it therefore enacted by the authority aforesaid, That Whenever it whenever it shall be made appear, to the satisfaction of his Ma-the governor jesty's governor or commander in chief, and the majority of the of New Jersey, council of the colonies of New Jersey, Pensylvania, Maryland, &c. that peace Virginia, and South Carolina, that peace and obedience to the laws is so far reshall be so far restored within the said colonies, or either of them, said colonies, that the trade and commerce of his Majesty's subjects may be that trade may carried on without interruption within the same, and that goods, be carried on, wares, and merchandise, have been freely imported into the said he is to notify colonies, or either of them, from Great Britain, and exposed to the same by fale, without any let, hindrance, or molestation, from or by reafon of any unlawful combinations to prevent or obstruct the fame; and that goods, wares, and merchandife, have in like manner been exported from the said colonies, or either of them respectively, to Great Britain, for and during the term of one calendar month preceding; that then, and in fuch case, it shall and may be lawful for the governor or commander in chief, with the advice of the council of such colonies respectively, by proclamation, under the feal of such respective colony, to notify the same to the several officers of the customs, and all others; and after fuch proclamation, this act, with respect to such colony, within which such proclamation or proclamations have been issued as aforesaid, shall be discontinued and cease, (except as herein-after provided;) and all officers of his Majesty's customs, and all other and all officers persons having charge of the execution of this act, having re- &c are requir-ceived due notice of such proclamation, are hereby directed and ed to pay due required to yield and pay obedience to such proclamation, and to obedience proceed in the discharge of their respective duties, in admitting thereto.



Anno decimo quinto GEORGII III. C. 18. 1775-

to entry, clearing, and discharging, all ships and vessels, and allgoods, wares, and merchandifes, into and out of fuch respective colony, in like manner as if this act had never been made; any

thing herein contained to the contrary notwithstanding.

Proclamation not to difcharge proceedings upon any feizure made before

IX. Provided nevertheless, and it is hereby further enacted and declared by the authority aforesaid, That such proclamation or proclamations shall not extend, or be construed to extend, to discharge or suspend any proceedings upon any seizure which shall have been made, or any prosecution which shall have been commenced for any penalty or forfeiture inflicted by this act beissuing thereof. fore the issuing of such proclamation or proclamations.

falle certificates, or counterfeiting, &c. the fame to tor trit, sool.

X. And it is hereby further enacted by the authority afore-Persons giving said, That if any person or persons shall give or grant any false certificate, cocket, or clearance, for any of the purposes required or directed by this act, such person or persons shall forfeit the fum of five hundred pounds, and be rendered incapable of ferving his Majesty, his heirs and successors, in any office whatsoever; and if any person or persons shall counterfeit, erase, alter, or falsify any certificate, cocket, or clearance, required or directed by this act, or shall knowingly or willingly make use of any false certificate, cocket, or clearance, or of any certificate, cocket, or clearance, so counterfeited, erased, altered, or falsisied, such person or persons shall, for every such offence, forfeit the sum of five hundred pounds; and such certificate, cocket, or clearance, shall be invalid and of no effect.

How penalties may be profecuted and applied.

XI. And be it further enacted by the authority aforesaid, That and forfeitures the several forfeitures and penalties inflicted by this act shall and may be prosecuted, sued for, and recovered, and be divided, paid, and applied, in like manner as other penalties and forfeitures, inflicted by any act or acts of parliament relating to the trade or revenues of the British colonies or plantations in America, are directed to be prosecuted, sued for, or recovered, divided, paid, and applied, by two several acts of parliament, the one passed in the fourth year of his present Majesty, intituled, An act for granting certain duties in the British colonies and plantations in America; for continuing, amending, and making perpetual an act, passed in the sixth year of the reign of his late majesty King George the Second, intituled, An act for the better securing and encouraging the trade of his Majesty's sugar colonies in America; for applying the produce of such duties, and of the duties to arise by virtue of the said att, towards defraying the expences of defending, protesting, and securing, the said colonies and plantations; for explaining an act, made in the twenty-fifth year of the reign of King Charles the Second, intituled, An act for the encouragement of the Greenland and Eaflland trades, and for the better securing the plantation trade; and for altering and disallowing several drawbacks on exports from this kingdom, and more effectually preventing the clandestine conveyance of goods to and from the said colonies and plantations, and improving and securing the trade between the same and Great Britain; and the other, passed in the eighth year of his present Majesty's reign, intituled, An act for the more casy and effectual recovery of the penaltics



# 1775.] Anno decimo quinto GEORGII III. c. 19-22.

nalties and forfeitures inflitted by the acts of parliament relating to the trade or revenues of the British colonies and plantations in America.

XII. And be it further enacted by the authority aforesaid, Persons sued That if any action or suit shall be commenced against any per- for any thing son or persons, for any thing done in pursuance of this act of suance of this parliament, the defendant or defendants in such action or suit act, may plead may plead the general iffue, and give the said act, and the spe- the general cial matter, in evidence, at any trial to be had thereupon; and iffue, that the same was done in pursuance of and by the authority of this act: and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonfuited, or discontinue his action, after the defendant or defendants shall have appeared, or if judgement shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall recover treble costs, and have the like reme- and recover treble costs. dy for the same, as defendants have in other cases by law.

#### CAP. XIX.

An act to enable the commissioners for executing the office of treasurer of his Majesty's exchequer, or the lord high treasurer for the time being, to compound with the representatives of Hugh Barlow, Herbert Lloyd, and William Skyrne, a debt due to his Majesty from William Williams, deceased.

#### CAP. XX.

An act to amend and render more effectual two acts, passed in the fixth and tenth years of the reign of his present Majesty, for making a navigable cut or canal from the river Trent, at or near Wilden Fer.y, in the county of Derby, to the river Mersey, at or near Runcorn. Gap.

#### C A P. XXI.

An act for the better relief and employment of the poor within the parish of Saint Mary le Bone, in the county of Middlesex; and for building a workhouse in the faid parish.

### CAP. XXII.

An act for vesting part of the garden of the society of Lincoln's Inn, in the county of Middlesex, in the accountant general of the court of chancery, and his successors, for ever, for the purpose of erecting thereon offices for the accountant general, and for the register of the faid court.

THEREAS by an all, passed in the fourteenth year of the Preamble. reign of his present Majesty, (intituled, An act for rebuild- Act 14 Geo. 3. ing the office of the fix clerks of the King's court of chancery, recited. and for erecting offices for the register and accountant general of the faid court, for the better preserving the records, decrees, orders, and books of account, kept in such offices,) it is, among st other things enacted, That out of the funds therein particularly mentioned, after paying and defraying the charges and expences attending the passing and obtaining the said act, a sum of ten thousand pounds be applied, as the lord high chancellor of Great Britain, or lord keeper,



Anno decimo quinto GEORGII III. C. 22, [1775, er lords commissioners for the custody of the great seal of Great Britain for the time being, Shall, in his or their discretion, deem necessary, in erecting proper and convenient offices for the said register and accountant general of the said court, separate and detached from each other; and in purchasing such ground and bouses as shall be necessary for those purposes; and for preserving the ancient books of entries of decrees and orders of the faid court; and that the ground and houses to be purchased for the purpose of erecting the said offices for the said register and accountant general be conveyed to and vested in Thomas Anguish, esquire, accountant general of the said court, and his successors in the said office for the time being, for ever, in trust, to and for the purposes in the said all mentioned, concerning the offices of the said register and accountant general, and for no other use or purpose what-Soever: and whereas the honourable society of Lincoln's Inn are owners of a convenient spot of ground, part of the ancient garden belonging to the said society, which will in all respects answer the purpojes intended by the faid recited act, upon which the faid offices may be erected, sufficiently detached from any other buildings, and the worshipful the masters of the bench of the faid society have agreed to dispose of so much ground, part of the said garden, as shall be necessary for the purpose of erecting the said offices, to be applied to that use, (to wit,) All that piece or parcel of ground, situate on the east side of the garden next Chancery Lane, abutting fouth on a way intended to be made into the said inn; east, on ground adjoining to Chancery Lane aforesaid, intended to be laid open; north, on ground granted, or agreed to be granted, to the fix clerks, wherean an office is intended to be erected; and weft, on ground also belonging to the faid fociety, intended to be laid open: containing in breadth from east to west, at the south end, seventy-feven feet seven inches of affize, with a break northward of four inches in the centre of the said South end thirty-four feet in length; containing in length, from north to fouth, on the east side, ninety-seven feet ten inches and three quarters of affixe, with a break westward of eleven feet fix inches and an half in the said east side, commencing at the distance of twenty-one feet nine inches and an half from the south end; and containing in breadth from east to west, at the north end, fifty-four feet fix inches of affixe; and in length from north to fouth, an the west side, ninety-seven feet ten inches and three quarters of offize, with a break eastward of eleven feet fix inches and an half in the said west side, commencing at the distance of twenty-one feet nine inches and an half from the South end; which piece or parcel of ground is situated on a parallel with the buildings now carrying on in the said garden, and commences on the north boundary thereof at the diftance of forty-two feet nine inches southward of the centre of the Said buildings; and the Said ground bath been approved by the right honourable the lord high chancellor, as proper for the scite of the said buildings; but in as much as the soil and freehold of the said garden is vested in trustees, upon trust for the Said Society, and a good title cannot be made to the faid spot of ground without the aid of parliament; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assem-



# 1775.] Anno decimo quinto GEORGII III. C. 23-27.

bled, and by the authority of the same, That such plot or parcel A certain plot of the said garden, belonging to the said society of Linceln's Inn of Lincoln's be, and the same is hereby vested in Thomas Arguish, esquire, action garden countant general of the said court of Chancery, to hold to him, and his successors in the said office for the time being, for ever, Esq. &c. for in trust, to and for the purposes in the said recited act of the four-building ofteenth year of the reign of his present Majesty, and in this act fices for the mentioned, concerning the offices of the said register and accountant general, and to and for no other use, intent, or purpose whatsoever; and that the said offices, when erected, be free and the said from all taxes, rates, and assessments whatsoever, save and exfece from cept such as the accountant general and register, or either of taxes, &c. them, do now pay in respect of their said offices.

II. Provided nevertheless, That the affessments to the land Proviso. tax, now paid or payable by the said offices, or either of them, be continued to be paid within the division of the liberty of the

rolls, wherein the same have been hitherto paid.

III. And be it further enacted, That the charges and expences How the exattending the passing and obtaining this act be paid and defray-pences of this ed out of the same funds, and in like manner, as the charges act are to be and expences attending the passing and obtaining the said recited paid. act of the sourteenth year of the reign of his present Majesty are thereby directed.

#### CAP. XXIII.

An act for building a workhouse, and for the better relief and employment of the poor within the parish of Saint James, Clerkenwell, in the county of Middlesex.

#### CAP. XXIV.

An act for incorporating certain persons, for the relief of poor widows and children of clergymen within the county of Huntingdon.

#### CAP. XXV.

An act for taking down the common gaol of the county of Hertford, and for building a new gaol in a more commodious fituation.

### CAP. XXVI.

An act for appointing commissioners for putting in execution an act of this session of parliament, intituled, An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and seventy sive.

### C A P. XXVII.

An act for admeasuring waggons and other carriages used in loading coals on board ships at the several ports of this kingdom, in the same manner as at the ports of Newcastle and Sunderland.

WHEREAS by an act of parliament, made in the fixth and se- Preamble.

wenth years of the reign of his late majesty King William the Act 627Gul. 3.

Third, intituled, An act for the better admeasurement of keels and keel boats in the port of Newcastle, and the members thereunto belonging; and by another act, made in the eleventh year of the Act is Geo. 2. reign of his late majesty King George the Second, keels, and all other recited.

carriages



# Anno decimo quinto GEORGII III. C. 27. [1775.

carriages used for the carriage of coals in the ports of Newcastle upon Tyne and Sunderland, upon the river Wear, and all other places within the counties of Northumberland and Durham, are to be admeasured and marked, as in and by the said first-recited act is directed: and whereas the faid admeasurement of keels and other carriages, used for the conveyance of coals, in order to be shipped from those ports, hath been found by experince to tend greatly to the accommodation of trade, and the security of the public revenue; and it is expedient that the carriages used in loading coals on board ships or vessels in other parts of Great Britain should be also admeasured and marked, in order that the coal trade throughout the kingdom may be put upon a more equal footing, and the duties payable to his Majesty thereon may be more effeetually secured and collected; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament affembled, and by the authority of the same, That 2775, his Ma- from and after the fifth day of July, one thousand seven hundred and seventy-five, it shall and may be lawful for his Majesty, his heirs and successors, by his or their commission or commissions issuing out of the court of exchequer in England or Scotland respectively, to nominate and appoint committioners for the adall keels, boars, measuring and marking all keels, boats, waggons, barrows, carts, and coups, and all other vessels or carriages whatsoever, which now are or hereafter may be used in the carriage of coals, as by act 6 & 7 in order to be laden on board any thip or vessel for exportation to foreign parts, or to be carried coastwife from any other port or place of this realm, in the same manner as such commissioners are appointed in pursuance of the said first-recited act for admeafuring and marking of keels and other carriages used for the carriage of coals in the said ports of Newcastle and Sunderland; which commissioners, so to be appointed in pursuance of this act, or any three or more of them, shall cause all keels, boats, waggons, barrows, carts, and coups, and all other veffels and carriages whatsoever, so used as aforesaid, at every other port in this kingdom, to be admeasured, weighed, numbered, and marked, at fuch times and places, and by fuch person and perfons, as the faid commissioners shall respectively direct and appoint for that purpose, in manner hereafter expressed; that is to fay, All keels, boats, waggons, barrows, carts, and coups, and all other vessels and carriages whatsoever, used as aforesaid in the carriage of fuch coals as are usually fold by the chalder, shall be measured with good middling coals, by the bushel commonly called The Coal Bushel, made round, with a plain and even bottom nineteen inches and an half from outlide to outlide, and to contain one Winehester bushel and one quart of water, according to the standard for the Winchester bushel, described by an act of parliament, made in the thirteenth year of the reign of his late majesty King William the Third, for settling a duty upon malt, Keels, boats, allowing thirty-fix bushels heaped up to one chalder; and all waggons, &cc. keels, boats, waggons, barrows, and all other veffels and car-

riages

After July 5, jefty. &c. to appoint commiffioners for admeafuring and marking used for carrying coals. &c. Gul. 3.

The dimenfions of the bushel.

to be measured



## 1775.] Anno decimo quinto Georgii III. C. 27.

riages, used as aforesaid in the carriage of such coals as are usually by the ton fold by weight, thall be measured by the ton, containing twenty containing hundred weight, each hundred weight to contain one hundred 20 cwt. &c. and twelve pounds weight avoirdupoife; and every such wag-waggons, gon, cart, coup, or other land carriage, so admeasured as afore- carts, keels &c. faid, shall be numbered, marked, and nailed, on the head and to be numbereach fide thereof; and each and every keel, boat, or other vef-ed, and markfel or water carriage, so used as aforestid in the carriage of such manner. coals as are usually fold by weight, shall be admeasured by a dead weight of lead or iron, allowing twenty hundred weight avoirdupoife to the ton; and every fuch keel, boat, or other veffel or carriage, so used as aforesaid in the carriage of any coals by water, whether usually fold by the chalder or by weight, so admeafured as aforefaid, shall be numbered, marked, and nailed, on each side of the stem and stern and midship thereof, or in such other manner as the faid commissioners thail respectively direct, to denote what quantity of coals each respective carriage will hold and carry up to the mark so set thereon; and the several and respective His Majesty's duties due and payable to his Majesty, his heirs and successors, paid according for and upon such coals, shall be charged, collected, and paid for to the quantithe same, according to the quantity of coals such keels, boats, ty such keels, waggons, barrows, carts, coups, or other vessels or carriages, boats,&c. shall shall respectively contain up to the mark so set thereon; any contain. law, custom, or usage, to the contrary notwithstanding.

II. And be it further enacted by the authority aforesaid, That Commissioners the said commissioners appointed in pursuance of this act, or to give three any three of them, shall give three days notice of the time and days notice to place of fuch admeasurement to the owner or owners of fuch keels, &c. of keels, boats, waggons, barrows, carts, coups, or other vessels or the time and carriages; and if after such notice given, any keel or other car- place of adriage what soever shall be used or employed in the carriage or re- measurement; moval of any coals, in order to be laden on board any ship or notice. if sny vessel for exportation to foreign parts, or to be carried coastwife kee', &c. be in this kingdom, before the same shall be measured, numbered, used before marked, and nailed, as aforesaid, every such keel, boat, waggon, measured. &c. barrow, cart, coup, or other vessel or carriage, together with the forfeited, &c. coals which shall be laden thereon, shall be forfeited, and the same shall and may be seized by any officer or officers of the customs, and prosecuted in the manner herein-after directed.

III. And be it further enacted by the authority aforesaid, That If any nomin case after the admeasuring, numbering, marking, and nailing, bers or marks of any keel, boat, waggon, barrow, cart, coup, or other vessel or &c. after adcarriage, the number or mark fo fet thereon as aforefaid, or any meafer ement part thereof, shall be removed or altered, in order to frustrate of keels, wagthe intent and meaning of this act, such keel, boat, waggon, gons, &c they barrow, cart, coup, or other veiled or carriage, and the coals, if feited, any shall be laden thereon, shall be forfeited, and shall and may be feized and profecuted as aforefaid; and the owner or owners and the ownof fuch keel, boat, waggon, barrow, cart, coup, or other vestel ers or persons or carriage, and each and every person and persons who shall be concerned, to any-ways concerned in or privy to the doing thereof, and who forfeit tol.

Anno decimo quinto GEORGII III. C. 27.

levied by diftreis,

or luch per-Ins may be committed tili paymont.

Perions appointed to take an account of coals, culm, &c. thipped, &c. may enter and remain on any wharf, &c.

2001.

Forfeitures, &c. to be divided, one moiety to his Majeffy, and the other to shall sue for fame.

Collectors of place where keels, boats, ed, Scc.

shall be convicted of such offence upon the evidence of one or more credible witness or witnesses before any one or more justice or justices of the peace for the county, town, or place, where the offence shall be committed, shall respectively forfeit the sum of which may be ten pounds; to be levied upon his, her, or their goods and chattels by diffress and sale thereof, by warrant under the hand and feal of fuch justice or justices, rendering the overplus, if any, to the person or persons distrained upon; and for want of sufficient diffiels, the owner or owners of fuch keel, boat, waggon, barrow, cart, coup, or other vessel or carriage, and the person or persons fo convicted of such offence shall, by like warrant, be committed to the common gaol for the county, town, or place, where the offence thall be committed, there to remain for the space of three months without bail or mainprize, unless the said penalty of ten pounds shall be paid before the expiration of that time.

IV. And be it further enacted by the authority aforefaid, That from and after the faid fifth day of July, any officer or officers of the customs appointed to examine and take an account of the quantity of any coals, culm, or cinders, which thall be laden or thipped on board any thip or vessel at any port or place whatsoever in this kingdom, to be exported into foreign parts. or to be carried coastwise from such port or place to any other port, member, or creek, within the same port, or to any other port or place in Great Britian, shall and may freely enter and remain in anc upon any staith, wharf, or other place, from whence fuch coals, culm, or cinders, are laden, or intended to be shipped and every per- off and laden, as aforefaid; and every perion who shall hinder, somobstructing obstruct, molest, or oppose, any officer or officers of the customs duty to forseit in the due execution of his or their duty required and directed by this act, shall, for every such offence, forteit the sum of one

hundred pounds. V. And be it further enacted by the authority aforesaid, That all the forfeitures and penalties herein-before mentioned (after the deducting the charges of feizing, profecuting, and recovering the same) thall be divided, one moiety to his Majesty, his heirs and successors, and the other moiety to such officer or officers of the officer who the customs as shall seize or sue for the same; and the said forfeitures and penalties (excepting in fuch cases where other directions are given in this act) shall and may be prosecuted and fued for in his Majesty's court of exchequer in England or Scotland respectively.

VI. And be it further enacted by the authority aforesaid, That the customs to from and after the said fifth day of July, one thousand seven hunkeep accounts dred and seventy-five, the collector and comptroller, or other of the time and principal officer of the collector and comptroller, or other principal officer of the customs, at every port or place in this kingdom, where any keels, boats, waggons, barrows, carts, or &c are mark other vetfels or carriages whatfoever, thall be measured and marked in pursuance of the directions of this act, or of any former act or acts of parliament now in force, shall register, or cause to be registered, in a book to be kept for that purpose, an account of the time and place when and where the faid keels,

boats,

# 1775.] Anno decimo quinto GEORGII III. C. 27.

boats, waggons, barrows, or other vessels or carriages, were measured, marked, and nailed, with the dimensions, and the name of the owner or owners thereof, and the quantity of coals each keel, boat, waggon, barrow, or other vessel or carriage, Persons apwill respectively hold and carry up to the mark set thereon; and pointed to every perion appointed or to be appointed to measure, mark, markand measure and nail, such keels, boats, waggons, barrows, or other vessels sure keels, or carriages, or to examine and take an account of the quantity boats, &c to of coals laden there from on board any ship or vessel, shall take make oath bean oath before the collector and comptroller, or other principal fector for the officer of the customs at the port or place where he shall be so faithful difappointed, for the true and faithful performance and discharge of charge of their his duty, according to the directions and instructions such officer duty. shall receive for that purpose from the respective commissioners of his Majesty's customs in Great Britain, which oath the said collector and comptroller, or other principal officer of the cu-

stoms, are hereby authorised and impowered to administer. VII. And be it further enacted by the authority aforesaid, Limitation of That if any action or fuit thall be commenced against any person actions. or persons for any thing done in pursuance of this act, such action or fuit shall be commenced and prosecuted in the court of exchequer only in that part of Great Britain called England, or in the court of settion or exchequer only in that part of Great Britain called Scotland respectively, within the space of four calendar months next after the fact shall be committed or done: and if such action or suit shall be commenced or prosecuted in England, the defendant or defendants in any such action or fuit may plead the general iffue, and give this act and the special General issue, matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonfuited or discontinue his action after the defendant or defendants shall have appeared, or if judgement shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like Treble costs. remedy for the same, as any desendant or defendants hath or have in other cases by law: and if such action or suit shall be How proceedcommenced or prosecuted in that part of Great Britain called ings are to be Scotland, the faid court of fession or exchequer before whom such scotland. action or fuit shall be brought shall allow the defendant to plead this act on his defence, and if the pursuer thall not infit on his action, or if judgement shall be given against the pursuer, the defendant shall and may recover the full and real expences he may have been put to by any such action or suit.

49



### C A P. XXVIII.

An all for altering, explaining, and amending several alls of the parliament of Scotland, respecting colliers, coal-bearers, and falters.

Freamble.

THEREAS by the statute law of Scotland, as explained by the judges of the courts of law there, many colliers and coalbearers and salters are in a state of slavery or bondage, bound to the collieries and falt-works where they work for life, transferrable with the collieries and falt-works, when their original masters have no further use for them: and whereas persons are discouraged and prevented from learning the art or business of colliers or coal-bearers, and salters, by their becoming bound to the collieries and falt-works for life, where they shall work for the space of one year, by means whereof there are not a sufficient number of colliers, coal-bearers, and salters, in Scotland, for working the quantities of coal and falt necessarily wanted; and many new-discovered coals remain unwrought, and many are not fufficiently wrought, nor are there a sufficient number of salters for the falt-works, to the great loss of the owners and disadvantage to the publick: and whereas the emancipating or fetting free the colliers, coal-bearers, and salters in Scotland, who are now in a state of servitude, gradually and upon reasonable conditions, and the preventing others from coming into such a state of servitude, would be the means of increasing the number of colliers, coal-bearers, and salters, to the great benefit of the publick, without doing any injury to the present masters, and would remove the reproach of allowing such a state of servitude to exist in a free country; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of July, in this present year one thousand seven hundred and seventy-five, no person, who shall begin to work as a collier, coal-bearer, or falter, or in any other way in a falter in Scot- colliery or falt-work, in Scotland, shall be bound to such colliery or falt-work, or to the owner thereof, in any way or manner different from what is permitted by the law of Scotland with regard to ferotherwaythan vants and labourers; and that they shall be deemed free, and shall enjoy the same privileges, rights, and immunities, with the rest of his Majesty's subjects, any law or usage in Scotland to the contrary notwithstanding.

After July 1, 1775, no perfon who fhall begin to work as a collier or land to be bound in any other fervants.

Owners of prentices.

II. Provided always, That it shall be lawful for all owners and collieries and lessees of collieries and salt-works, and for colliers, coal-bearers, falt works,&c. and salters, to take persons bound by contract or indenture, as make take ap-apprentices, to learn the art or business of coal-hewing, coalbearing, or making falt, for any term of years permitted by the law of Scotland with regard to apprentices in other arts and mysteries.

III. And be it further enacted by the authority aforesaid,

That



That all persons under the age of twenty-one years, upon the Persons emfaid first day of July, employed as colliers, coal-bearers, or salt-ployed as collers, in Scotland, and bound to any colliery or salt-work, shall, der 21 years, after seven years service from the said first day of July, be free shall be free

from their service and servitude, and at liberty to engage them- after seven felves as servants or labourers in any other colliery or falt-work, years service.

or in any other kind of labour whatever.

IV. And be it further enacted by the authority aforesaid, All bound That all bound colliers and falters in Scotland, above the age of falters above twenty-one years, and under the age of thirty-five years, upon 21 and under the said first day of July, after a service of ten years; and all 35 after a sercolliers and falters above the age of thirty-five years, but under vice of ten the age of forty-five years at the faid first day of July, after a years, and service of seven years; and after their having respectively found 35 and under and sufficiently instructed a person as an apprentice, if required 45 after seven fo to do by the master or lessee of the colliery or salt-work, years, to be within one year after the said first day of July next, in the art free, having or mystery of coal-hewing or making of salt, of the age of eigh- structed apteen years at least; when such instruction shall be perfected, shall prentices, if be free from any other servitude or bondage to the colliery or defired. falt-work to which they were bound.

V. And be it also enacted, That all colliers and salters, Bound collibound to any colliery or falt-work in Scotland, above the age of ers, &c. above forty-five years upon the said first day of July next, shall, after 45 years to be three years, be free and discharged from any further servitude or years. bondage to the colliery or falt-work to which they are bound.

VI. Provided always, and be it enacted by the authority a- Colliers and foresaid, That if any bound collier or salter shall not sufficiently salters not instruct an apprentice in the art or mystery of coal-hewing or properly inmaking of falt, if required by the master or lessee of the colliery prentices, to or falt-work to which he is bound, as directed by this act, such serve three collier or falter shall nevertheless be free, after the performance years longer of an additional fervice of three years at the colliery or falt- than the time work to which he is bound.

VII. Provided always, That every collier or falter, claiming Colliers, &c. liberty under the authority of this act, shall, prior to his being claiming liberfreed from his servitude or bondage, obtain a decree of the she- ty to obtain a riff court of the county in which he resides, finding and declaring decree of the that he is intitled unto his freedom, under the authority of this theriff court, act.

VIII. And be it enacted by the authority aforesaid, That for In what manthe purpose of obtaining such decree, it shall and may be lawful for the collier or falter claiming his freedom to present a petition to sue out their to the theriff depute or fabilitute of the county where he refides, freedom. stating his claim of freedom, and offering to prove the facts which intitle him to it, and the theriff depute or substitute is hereby authorised and required to order the petition to be served upon the owner, lessee, or overseer, of the colliery or falt-works to which the petitioner is bound, and to order an answer to be put in to the petition in ten days after service, stating the objection or objections to the freedom claimed, it any fuch are intended

specified, and then to be free.

ner colliers and falters are



# Anno decimo quinto GEORGII III. C. 28. [1775.

to be made; and the theriff thall thereafter proceed in a fummary way in taking the proofs, and all other procedure necessarys until a decree shall be pronounced; and if the decree of the Theriff shall be against the petitioner, finding him not intitled to Freedom, it shall nevertheless be competent to such petitioner, at any period after the expiration of one year, to present a second petition, stating his claim of liberty of new, and which shall be proceeded upon in the same manner as the former; and if the petitioner fails in obtaining a decree for him on the fecond petition, he may, after the expiration of one year from the date of the second decree, present a third petition, which shall likewise be proceeded upon in the same manner; and if he fails in obtaining a decree upon his third petition, he may present a fourth, and fo on, till he obtains a decree declaring his freedom, one year at least being expired after a decree upon one petition before it shall be competent to present another.

Perfors guilty of unlawful combinations, &c. to ferve they would have been intitled to their freedom.

IX. Provided always, That in case it shall be proved to the fatisfaction of the faid theriff, that the person so applying by petition has, subsequent to the passing of this act, been guilty of two years after entering into any unlawful combination with the other colliers or falters to leave off working, in order to diffress or injure the proprietor or lessee of such coal or salt-work, or in order to compel him to increase the wages or allowances usually paid for the faid work; or that the person so applying shall have wilfully deserted the said works; then, and in that case, the perfon guilty of such offences shall not be intitled to the benefit of the faid act until the expiration of two years after the respective periods at which, in terms of this act, he would have been intitled to his freedom, if he had not been guilty of fuch offences.

X. And be it further enacted by the authority aforefaid, That it shall not be competent for the respondent or respondents to such petition to remove the proceedings upon it into the court of session in Scotland, by advocation, or to complain of any decree by appeal or suspension, or to sue for reduction of any such decree; and that every decree upon such petition, finding and declaring the freedom of the petitioner, shall be final and conclusive against the person to whom the petitioner

was bound.

XI. And be it further enacted by the authority aforefaid, When colliers That when colliers or salters obtain their freedom under the authority of this act, their wives and children in family with dom, all their them, and all others who make part of their family, and are coal-hearers, or otherwise assistant to them, shall likewise be free.

XII. And be it further enacted by the authority aforefaid, All coal-bear- That all coal-bearers and other labourers in collieries or faltworks, who are bound to any colliery or falt-work in Scotland, and do not belong to the family of any particular collier or faltyears, to serve er, shall, if under the age of forty-five years, after seven years service, from the said first day of July, be free from their service and above 451 and fervitude, and at liberty to engage themselves as servants or labourers in any other colliery or falt-work, or in any other

Respondent to. any petition may not remove the proceedings upon it into the court of feffion. All decrees declaring freedom to be final.

or falters obtain their freefamily to be alfo free.

ers who are bound, &c. and under 45 feven vears; to ferve three years.

kind



1775.] Anno decimo quinto GEORGII III. C.29.

kind of work whatfoever, and if above the age of forty-five

years they shall be free after a service of three years.

XIII. And be it further enacted by the authority aforesaid, All colliers, That from and after the first day of July, in this present year &c. having obone thousand seven hundred and seventy-five, all colliers and tained their falters then free, and all persons that may thereafter become intitled to the colliers and falters, and all colliers and falters bound to any benefit of the colliery or falt-work upon the faid first day of July, from the act o' Scot. time of obtaining their freedom under the authority of this act, land, for pre-fhall be intitled to the benefit of an act made in the parliament wrongous imof Scotland, in the year one thousand seven hundred and one, in- prisonment, tituled, Ast for preventing wrongous imprisonment, and against un- &c. due delays in trials; any thing in the faid act to the contrary notwithstanding.

### CAP, XXIX.

An all to repeal two alls, made in the parliament of Scotland, the twenty-eighth day of June, one thousand fix bundred and thirtythree, intituled, Act anent the Clan Gregour, and the fifteenth day of June, one thousand six hundred and ninety-three, intituled, Act for the justiciary in the highlands, so fur as relates to the Mac Gregours; and to revive an act of the said parliament of the twenty-fixth day of April, one thousand fix hundred and fixty-one, relative to the people called Mac Gregours.

TY HEREAS in the parliament of Scotland, being the first Preamble. parliament of King Charles the First, holden at Edinburgh, Act of the twenty-eighth day of June, one thousand six hundred and thirty-parliament of three, an act passed, intituled, Act anent the Clan Gregour, rati-Scotland, fying and approving all acts of council and of parliament made there- 1633, Car. 1. tofore against the clan of Mac Gregour, and ordaining the clan or recited. people of the name of Gregour or Mac Gregour, and every one of them, at arriving at the age of fixteen, to give security to the privy council of Scotland for their good behaviour and obedience; and that the said clan Gregour should take to them some other surname; and that upon their failure to appear, it should be lawful to any of his Majesty's lieges to take and apprehend them to be prefented to the privy council, there to be taken order with; and if it should happen any of the faid clan Gregour to be hurt, mutilated, or flain, the party so doing and their accomplices should no ways be subject or liable to law therefore, nor incur any pain or skaith in body or goods, and should be free of all pursuit, criminal or civil, and the same should be holden as good service done to his Majesty; and that for the better extinguishing and extirpating the said clan, no minister or preacher within the bounds therein mentioned should at any time thereafter baptize or christen any male child by the name of Gregour, and that no clerk or notary at any time coming should make or subscribe any bond or other security under the name of Gregour: and whereas in the first parliament of King Act of the par-Charles the second, holden at Edinburgh, Anno one thousand fix liament of bundred and fixty-one, an all paffed, bearing date the twenty-fixth Scotland, day of April in that year, whereby his Majefty, considering that those recited.

E 3

wbo

liament of

recited.

Scotland 1693,



### Anno decimo quinto GEORGII III. C. 29. [1775.

who were formerly designed by the name of Mac Gregour had, during the troubles, carried themselves with such loyalty and affection to his Majesty as might justly wipe off all memory of their former miscarriages, and take off all mark of reproach put upon them for the Same; and his Majesty being desirous to reclaim his subjects from every evil way, and to give all due encouragement to such as lived in due obedience and submission to his Majesty's authority and laws of the kingdom, therefore his Majesty, with advice and consent of his estates of parliament, rescinded, cassed, and annulled the thirtieth all of the first parliament of King Charles the First, intituled, Act anent the clan Gregour, and declared the same void and null in all time coming; and that it should be thereafter free to all persons come of the name and race of the clan Gregour to keep and make use of the said name of Gregour, or Mac Gregour, and enjoy all privileges and immunities as other subjects, notwithstanding the said act, or any other acts, or Act of the parany thing therein contained, to the contrary: and whereas in the reign of King William and Queen Mary an act passed in the parliament of Seotland, the fifteenth of June, one thousand fix hundred and Gul. & Marıæ, ninety-three, intituled, Act for the justiciary in the Highlands, whereby their Majesties, with the advice and consent of the estates of parliament, revived the act of parliament of one thousand six hundred and thirty-three against the clan Gregour, notwithstanding the Same was rescinded in the year one thousand six hundred and sixty-one, which all rescissary their Majesties did, by this alt, annul and make woid; and whereas those persons who were the objects of the aforesaid acts did generally give obedience to the law, by assuming other names, and many of the descendants of those persons now bear the names that were by them so assumed: and whereas the causes inductive of the acts for suppressing the name of Gregour, or Mac Gregour, are now little known, and have long ago coased, and those acts being incapable of execution ever since the powers of the privy council of Scotland were abolished, many persons considering them to be ineffect, and for the most part obsolete, do now use the name of Mac Gregour: and whereas many persons of the surname of Mac Gregour baue found divers inconveniences arising to them from the said acts of the parliament of Scotland, particularly by being disabled, and apprehending themselves disabled thereby, from suing and defending in their own true names in courts of law and justice in North Britain, and are desirous to re-assume the real name of their ancestors and families but are unwilling so to do while there is the appearance of a legal prohibition standing against them; and for as much as they cannot be fully relieved without the authority of parliament, may it therefore please your Majesty, (upon the humble petition of Gregor The above re- Drummond esquire, for himself and many others,) that it may be the parliament enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and 1633& 1693, so temporal, and commons, in this present parliament assembled, far as they re- and by the authority of the same, That from and after the passing of this act, the said act of the parliament of Scotland, of the by this act re- twenty-eighth day of June, one thousand six hundred and thirtythree, and the said act of the parliament of Scotland, of the fif-

teenth

of Scotland, spect the clan Gregour, are pealed,



### 1775.] Anno decimo quinto GEORGII III. C. 30.

teenth day of June, one thousand six hundred and ninety-three, so far as respects the clan Gregour, or Mac Gregour, shall be and stand repealed, rescinded, annulled, and void, to all intents and purpoles whatfoever.

II. And it is hereby further enacted, That the faid act of the The act of the parliament of Scotland, made the twenty-fixth day of April, one parliament of thousand fix hundred and fixty-one, be and the same is hereby Scotland, April 26,1661, revived, and declared to be in full force and vigour in time hereby reviv-

coming.

ed, and in fell force.

#### CAP. XXX.

An act for allowing the officer appointed to mark or flamp the weights to be made use of in weighing the gold and silver coin of this kingdom, in pursuance of an act made in the last session of parliament, to take certain fees in the execution of his office.

THEREAS by an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act for regulating Preamble. and ascertaining the weights to be made use of in weighing the ASt 14 Geo. 30 gold and silver coin of this kingdom, it is enabled, that exact du-recited. plicates or copies of the several standard weights therein mentioned shall be delivered to and lodged in the custody of an officer, to be from time to time appointed for that purpsfe, with a falary not exceeding the yearly sum of two hundred and fifty pounds; and that from and after the day therein mentioned, all weights to be made use of for weighing the faid gold and filver coin shall be afcertained by the faid duplicates or copies; and after having been tried and compared therewith, and found to be just and true, shall, in testimony thereof, be marked by the Said officer with a stamp or mark, which the Said officer is thereby dirested to provide; and is also required, upon application made to him, at all seasonable hours, to stamp or mark, in manner therein mentioned, all weights to be used for weighing the said gold and silver coin which should be brought to him for that purpose, and which he should find to be just and true, according to the said duplicates or copies of the standard weights of a guinea, and of a shilling, and of the parts and multiples thereof respectively, by the said act directed to be lodged in his custody, without fee or reward, and without wilful delay: and whereas the officer appointed for the purpose aforesaid, in pursuance of the said ast, bath bitherto duly executed the same, but is unable by himself to give that dispatch therein which the present demands of the publick require; and it would greatly tend to the speedy carrying the intention of the faid all into execution, if the faid officer were permitted to take a small fee for the stamping or marking the said weights, towards reimbursing him the necessary expence of procuring an extraordinary number of affistants adequate to the said demands, which, as the law now stands, he is not allowed to do; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and J. Whitehurst commons, in this present parliament assembled, and by the impowered to authority of the same, That from and after the passing of this every twelve act, it shall and may be lawful to and for John Whitehurst, the weightsstamp-

prefent ed.

E4



Anno decimo quinto GEORGII III. C. 31. [1775. present officer, and every other officer to be from time to time appointed for the purpose aforesaid, in pursuance of the said act, and he and they are hereby respectively authorised and impowered, to ask, demand, and receive, of and from all and every person and persons bringing weights to the said office, to be stamped or marked in pursuance of the said act, any sum of money not exceeding one penny for every twelve weights fo stamped or marked before he delivers the same; any thing in the faid recited act contained to the contrary in any-wife notwithstanding.

### C A P. XXXI.

An act for the encouragement of the fisheries carried on from Great Britain, Ireland, and the British dominions in Europe, and for. securing the return of the fishermen, Sailors, and others employed in the faid fisheries, to the ports thereof, at the end of the fishing sea-

Preamble.

WHEREAS the fisheries carried on by his Majesty's subjects of Great Britain and of the British dominions in Europe bave been found to be the best nurseries for able and experienced seamen, always ready to man the royal navy when occasions require; and it is therefore of the highest national importance to give all due encouragement to the said fisheries, and to endeavour to serure the annual return of the fishermen, sailors, and others employed therein, to the ports of Great Britain, and of his Majesty's dominions before mentioned, at the end of every fishing season, now, in order to promote these. great and important purposes, and with a view, in the first place, to induce bis Majesty's subjects to proceed early from the ports of Great Britain to the banks of Newfoundland, and thereby to projecute the fishery on the said banks to the greatest advantage, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament affembled, and by the authority of the same, That 1776, bounties from and after the first day of January, one thousand seven hundred and seventy-six, the respective bounties herein-after mentioned shall be paid and allowed annually, for eleven years, for a certain number of ships or vessels employed in the British fishery on the banks of Newfoundland, under the limitations and restrictions herein-after expressed; that is to say, such vessels shall appear by their register to be British built, and owned by his Majesty's subjects residing in Great Britain or Ireland, or the islands of Guernsey, Fersey, or Man; and be of the burthen of fifty tons or upwards, and navigated with not less than fifteen men each, three-fourths of whom, besides the master, shall be qualified as by his Majesty's subjects; and in other respects qualified, and subject to the same rules and restrictions, as are described by an act, made in the tenth and eleventh years of the reign of the late King William the third, (intituled, An all to encourage the trade to Newfoundland;) and shall be fitted and cleared out from some port

After Jan. 1, to be given to veffels fitted out from Great Britain or Ireland for the Newfoundland, fiftery,

261 10 & 11 Gul. 3.



## Anno decimo quinto GEORGII III. C. 31.

port in Great Britain after the said first day of January, one thousand seven hundred and seventy-six, and after that day in each succeeding year, and shall proceed to the banks of Newfoundland; and having catched a cargo of fish upon those banks, confisting of not less than ten thousand fish by tale, shall land the same at one of the ports on the southern or eastern side of the island of Newfoundland, between Cape Ray and Cape de Grat, on or before the fifteenth day of July in each year; and shall make one more trip at least to the said banks, and return with another cargo of fish catched there to the same port; in which case, the twenty-five vessels first arriving at the said island of Newfoundland from the banks thereof, with a cargo of fish catched there, consisting of ten thousand fish by tale at the least, and after landing the same at one of the ports within the limits before mentioned in Newfoundland, shall proceed again to the said banks, and return to the faid island with another cargo of fish, shall be intitled to forty pounds each; and one hundred vessels which shall so arrive the next in order of time, on or before the said fifteenth day of July in each year, at the said island, with a like cargo, and thall proceed again to the faid banks, and return from thence in the manner herein-before mentioned, shall be intitled to twenty pounds each; and one hundred other veffels which shall so arrive the next in order of time, on or before the the said fifteenth day of July in each year, at the said island, with a like cargo, and shall proceed again to the said banks, and return from thence in the manner herein before mentioned, shall be intitled to ten pounds each, upon the master or owner Certificates to of such vessel's producing to the collector of his Majesty's cu- be produced stoms at the port in Great Britain from whence such vessel was to the colleccleared out a certificate, under the hand and feal of the gover- from the gonor of Newfoundland, that the master of such vessel had produced vernor of to him a certificate under the hands of the collector and comp- Newfoundtroller of the customs at the port from whence such vessel was land, of the cleared out, testifying that such vessel was duly qualified to pro- of ships, &c. ceed on such fishery, in pursuance of the before-mentioned act, made in the tenth and eleventh years of King William the third; and that it has been made appear to his fatisfaction, by a certificate under the hand and feal of the naval officer of the diffrict in Newfoundland where such fish was landed, or where there is no naval officer, under the hand and feal of the commander of any of his Majesty's ships stationed there, or of such officer as the governor shall approve, specifying the time of such vessel's arrival, in manner before directed, that such vessel was intitled by the priority and time of her arrival to one or other of the bounties therein mentioned, as the fact may be; and that the Masters and master and mate of such vessel had made oath before such naval Mates to or other officer as aforesaid, that the number of fish taken on make oath. the first trip amounted to ten thousand at least by tale, that he had made two trips at least, and that all the fish on both trips were catched on the banks of Newfoundland; which certificate Certificates and oath the said governor and naval or other officer as aforesaid and oaths to

Anno decimo quinto GEORGII III. C. 31. [1775.

and adminiftered without fee.

Collectors of customs topay the bounties.

are hereby impowered and required to grant and administer to the master and mate of such vessel without see or reward; and upon delivering up the said certificate to such collector the respective bounties therein mentioned shall be paid by such collector out of any money remaining in his hands arifing by the duties of customs or other subsidies upon foreign goods imported into this kingdom; and in case such collector shall not have sufficient money in his hands to pay the said bounties, he shall certify the same to the commissioners of his Majesty's customs in England or Scotland respectively, who are hereby authorised and required to order the same to be paid by the receiver general of the customs, out of any money in his hands arising by any of the duties and revenues under their management reipectively.

Any part of Newfoundmay be used for curing and drying fifth.

II. And be it further enacted by the authority aforesaid, That for the better accommodation of the persons belonging to vessels land not in use employed in the Newfoundland fishery, it shall and may be lawful for the masters and crews belonging to any vessels fitted out and employed in that fishery in pursuance of this or any other act, to occupy and use, for the purpose of curing, salting, drying, and husbanding their fish, any vacant or void space whatever on any part of Newfoundland which is not then occupied and used for the said fishery, without any let, disturbance, or hinderance, from any person or persons whatsqever, although such unoccupied places may not before have been reputed ships rooms; and all fuch unoccupied places shall from henceforth be deemed and taken to be ships rooms, any custom or usage to the contrary notwithstanding.

What bounties are to be given to fhips fitted out for the whale fishery,

III. And in order to induce his Majesty's subjects in Great Britain and Ireland, and the islands of Guernsey, Jersey, and Man, to carry on the whale fishery on the coasts of Newfoundland, and the seas adjacent, be it further enacted by the authority aforefaid, That the feveral bounties hereafter mentioned shall be allowed annually, for eleven years, for five vessels employed in that fishery, under the limitations and restrictions herein-after expressed; that is to fay, such vessels shall appear by their register to be British built, and owned by his Majesty's subjects residing in Great Britain, Ireland, or the islands of Guernsey, Jersey, or Man, and navigated with three-fourths of his Majesty's subjects of Great Britain, Ireland, or the islands of Guernsey, Jersey, or Man, besides the master, and shall be fitted and cleared out from some port in Great Britain or Ireland, or the islands of Guernsey, Fersey, or Man, after the first day of January, one thousand seven hundred and seventy-six, and after that day in each succeeding year, and shall take and kill one whale at least in the Gulph of Saint Lawrence, or on the coasts of Labrador, Newfoundland, or in any feas to the fouthward of the Greenland feas and Davis's Streights, and shall return within the same year to some port in England with the oil of such whale or whales so taken as aforesaid; and mates making on the master and mate of such vessel, and two of the mariners belonging to her, making oath before the collector and comp-

mafters and oath, &c.



#### Anno decimo quinto GEORGII III: C. 31. 1775.

troller of the customs at the port of her arrival (which oath they are hereby authorised and required to administer,) that such oil is the produce of one or more whale or whales taken and killed by the crew then belonging to fuch vessel, mentioning the time when the departed from Great Britain, Ireland, or the islands of Guernsey, Fersey, or Man, and from what port, and the time and place where such whale or whales was or were taken and killed, such oil may be landed without payment of any duty whatsoever; and the collector and comptroller of such port shall thereupon forthwith transmit such oath to the commissioners of his Majetty's customs at London, any four or more of whom are hereby authorised and required to order the receiver general of his Majesty's customs to pay, out of any money in his hands arifing by any duties under their management, for the veffel which shall so arrive in each year with the greatest quantity of oil taken as aforesaid, five hundred pounds; for the vessel which shall in like manner arrive in the same year with the next greatest quantity of oil so taken as aforesaid, four hundred pounds; for the vessel which shall in like manner arrive in the same year with the next greatest quantity of oil so taken as aforesaid, three hundred pounds; for the vessel which shall in like manner arrive in the same year with the next greatest quantity of oil so taken as aforesaid, two hundred pounds; and for the vessel which shall so arrive in the same year with the next greatest quantity of oil so taken as aforesaid, one hundred pounds; the faid oil so to be imported by each of the faid vessels being the produce of one whale at the least; which said several and re- Receiver gespective bounties shall be paid by such receiver general, within meral of his two months after the expiration of each year in which such tomstopay vessel shall arrive, to the owner or owners of such vessels so in- the bounties. titled thereto, or their affigns duly authorised to demand the fame.

IV. And in order to obviate any doubts that have arisen, or may What persons arise, to whom the privilege or right of drying fish on the shores of the privilege Newfoundland does or shall belong, under the before mentioned ast, of drying fish made in the tenth and eleventh year of the reign of King William the on the banks Third, which right or privilege has hitherto only been enjoyed by his of Newfound-Majesty's Subjects of Great Britain, and the other British dominions land. in Europe; be it enacted and declared by the authority aforesaid, That the said right and privilege shall not be held and enjoyed by any of his Majesty's subjects arriving at Newfoundland from any other country except from Great Britain, or one of the British dominions in Europe.

V. And it is hereby further enacted by the authority afore- Provisions, and faid, That it shall and may be lawful for any of his Majesty's all necessaries subjects residing in Ireland to ship and lade there, and to trans- for fishing, may port directly from thence to Newfoundland, or to any part of from Ireland America where the fishery is now or shall hereafter be carried and the sse of on, on board any ship or vessel which may lawfully trade or Man, to Newfish there, any provisions, and also any hooks, lines, netting, foundland, being British or other tools or implements necessary for and used in the fish- or Irish pro-

60

# Anno decimo quinto Georgii III. C. 31. [1775.

facture.

duct or manu- ery by the crews of the ships or vessels carrying out the same, and the craft belonging to and employed by fuch ships or vessels in the faid fishery, such provisions, hooks, lines, netting, or other tools or implements, being the product and manufacture of Great Britain or Ireland; and that it shall and may be lawful for any of his Majesty's subjects, residing in the Isle of Man, in like manner to export directly from thence any of the articles herein-before mentioned for the purpose aforesaid, such articles being the product or manufacture of Great Britain, or the said Iste of Man, any law, custom, or usage, to the contrary notwithstanding.

Mafters of vessels to produce certificates from the officer of cuare the product, &c. of Great Britain or Ireland.

VI. Provided always, and it is hereby further enacted by the authority aforesaid, That the master or other person taking charge of fuch thip or vessel shall produce to the proper officer of the customs in the colony or plantation where he shall arrive stoms, that the a certificate, under the hand and seal of the collector or other provisions, &c. principal officer of the customs in the port where he shall have fitted out, that oath hath been made before him by the shipper of fuch provisions, hooks, lines, netting, or other tools and implements, that the same are of the product and manufacture of Great Britain or Ireland, or the Ifle of Man respectively, as the fact may be, and that the several articles before mentioned, (except the provisions,) specifying the quantities and particulars of each fort, are to be used in the fishery by the crews of the respective ship or vessel carrying out the same, and by the craft belonging to and to be employed by fuch thip or vessel in the faid fishery, and for no other use or purpose whatsoever, (which oath and certificate such collector or other officer is hereby authorised and required to administer and grant without fee or On failure, &c. reward;) and on failure of producing fuch certificate, or if any fuch hooks, lines, netting, tools and implements, are used or disposed of for any other purpose, the same, and the ship or vessel having the same on board, shall be liable to be seized and forfeited in the same manner as they would have been subject and liable if this act had not been made, any thing herein contained to the contrary notwithstanding.

the thip to be forfeited.

No fishing ships, or any necessaries for the fishery, to time of working,

nor to make any entry at the customhouse, &c.

VII. And it is hereby further enacted by the authority aforesaid, That from and after the first day of January, one thousand craft carrying feven hundred and feventy-fix, all veffels fitted and cleared out as fishing ships in pursuance of this act, or of the before-menbeliable to any tioned act, made in the tenth and eleventh years of the reign of restraint as to the late King William the third, and which shall be actually employed in the fishery there, or any boat or craft whatsoever employed in carrying coastwise, to be landed or put on board any thips or vessels, any fish, oil, falt provisions, or other necesfaries, for the use and purpose of that fishery, shall not be liable to any restraint or regulation with respect to days or hours of working, nor to make any entry at the customhouse at Newfoundland, except a report to be made by the master on his first arrival there, and at his clearing out from thence; and that a fee not exceeding two shillings and sixpence shall and may be

taken



# 1775.] Anno decimo quinto Georgii III. C. 31.

taken by the officers of the customs at Newfoundland for each fuch report; and that no other fee thall be taken or demanded by any officer of the customs there, upon any other pretence whatsoever relative to the said fishery, any law, custom, or usage, to the contrary notwithstanding.

VIII. Provided always, and be it enacted, That in case any if ships have fuch fishing ship or vessel shall at her last clearing out from the on board any faid island of Newfoundland have on board, or export any goods than fish or or merchandise whatsoever, except fish, or oil made of tish, such oil, &c. they thip or vessel, and the goods thereon laden, shall be subject and shall be under liable to the same securities, restrictions, and regulations, in all strictions, &c. respects, as they would have been subject and liable to if this act had not been made, any thing herein-before contained to

the contrary notwithstanding.

IX. And whereas by an act, made in the twenty-fifth year of the Act 25 Car. 2. reign of King Charles the Second, (intituled, An act for the en-oil, &c. to be couragement of the Greenland and Eastland trades, and for the imported better fecuring the plantation trade,) and by other acts of parlia-duty-free, rement, it is lawful for any person or persons to import into England cited, train oil or blubber of Greenland, and parts adjacent, and those seas, or of Newfoundland, or of any other his Majesty's colonies and plantations, made of fish, or of any other creature living in the seas, and whale fins caught in any ships or vessels truly and properly belonging to England or Wales, or town of Berwick upon Tweed, and imported in such ships, without paying any custom or duty for the same, which liberty, by a subsequent att of parliament, is extended to ships belonging to Great Britain; and it is reasonable that the same indulgence should be extended to oil and blubber of fish, and other creatures living in the sea, and to whale fins caught in any part of the ocean by ships belonging to Great Britain, Ireland, and the islands of Guernsey, Jersey, and Man; be it therefore enacted by the authority aforesaid, and after Sept. That from and after the first day of September, one thousand 1, 1775. ex-. feven hundred and feventy-five, the liberty granted by the faid tended to all act to import into this kingdom oil or blubber of fish, or other ships belongcreatures living in the sea, or whale fins taken within the li-ing to Great mits therein mentioned, duty-free, shall extend, and be construed land, Guernto extend, to such oil or blubber, or whale fins, as shall be so sey, &c. taken in any part of the ocean by, and imported in any ship or veffel truly and properly belonging to, his Majesty's suojects of Great Britain, Ireland, or the illands of Guernser, Fersey, or Man, any law, custom, or usage. to the contrary notwithstanding.

X. And it is hereby further enacted by the authority afore-After Sept. 1, faid, That from and after the first day of September, one thou-ed seal skins sand seven hundred and seventy-five, it shall and may be lawful may be imfor any person or persons to import into this kingdom any raw ported duty. and undressed seal skins taken and caught by the crews of vessels free. belonging to and fitted out either from Great Britain, Ireland, or the islands of Guernsey, Fersey, or Man respectively, and whereof the captain or master and three-fourths at the least of the mariners are his Majesty's subjects, or by persons employed by the anasters or owners of such westels, without paying any custom,



Anno decimo quinto GEORGII III. C. 31. [1775.

subsidy, or other duty for the same, any law or usage to the

contrary notwithstanding.

Not to extend to any feal ikins except tholeimported fied as aforefaid,

tered at the

and duly encustomhouse, Arc.

XI. Provided always, That nothing in this act shall extend, or be construed to extend, to give liberty of importing any such feal skins duty-free, unless the captain or person having the by thips quali. charge or command of fuch thip or vessel importing the same shall make oath before the collector or other principal officer of the customs at the port of importation, (who is hereby authorifed and required to administer such oath,) that all the skins imported in such ship or vessel were really and bona fide the skins of feals taken and caught by the crews thereof, or by persons employed by the master or owner of such thip or vessel, or of some other ship or vessel qualified as aforesaid; and such seal skins shall be also duly entered at the customhouse for the said port, and landed in the presence of the proper officer or officers of the customs appointed for that purpose; and on failure of any of these conditions, such skins shall be liable to pay the same duties as they would have been subject and liable to if this act had not been made, any thing herein contained to the contrary notwithstanding.

XII. And whereas it has been a practice of late years for divers persons to seduce the fishermen, sailors, artificers, and others, employed in carrying on the fishery, arriving at Newfoundland, on board fishing and other vessels from Great Britain, and the British dominions in Europe, to go from thence to the continent of America, to the great detriment of the fishery and the naval force of this kingdom: now, in order to remedy the faid evil, and to fecure the return of the said fishermen, sailors, artificers, and others, employed as aforesaid, to the British dominions in Europe, be it further enact-No shipmaster ed by the authority aforesaid, That from and after the first day of January, one thousand seven hundred and seventy-six, it shall not be lawful for the master, or person having the charge or command of any ship or vessel trading to or from any place within the government of Newfoundland, to carry or convey, as passengers, any such fishermen, sailors, artificers, and others, employed, as aforesaid, from thence to any part of the continent of America, without the permission under the hand and seal of the nalty of 2001. governor of the said island of Newfoundland, under the penalty of

forfeiting two hundred pounds for every fuch offence.

XIII. And whereas in several acts, passed in the eleventh and twelfth years of William the Third, the eighth of George the First, and the second and twelfth of George the Second, provision has been made to prevent Seamen and mariners in the merchant Service being wilfully left beyond sea, and to secure and provide for their return home to fuch part of his Majesty's dominions whereto they belong: and whereas, for want of such provisions being extended to seamen and fishermen going out as passengers to Newfoundland, and hired and employed in the fisheries carried on there, great numbers of them remain in that country at the end of every fishing season, who would otherwise return home, and some of them have frequently turned robbers and pirates; for remedy of which evil, be it enacted by the

to carry any fishermen,&c. as paffengers to any part of the continent of America without permillion, under the pe-



Anno decimo quinto GEORGII III. c. 31.

authority aforesaid, That no person or persons whatsoever shall, Regulations from and after the first day of January, one thousand seven hun- for persons dred and seventy-fix, employ, or cause to be employed, at New- employing seafoundland, for the purpose of carrying on the fishery there, any men at Newfeaman or fisherman going as passengers, or any seaman or fish- foundland. erman hired there, without first entering into an agreement or contract in writing with every fuch seaman or fisherman, declaring what wages such seaman or fisherman is to have, and the time for which he shall serve, which shall be signed by both parties; wherein it shall be stipulated (amongst other things) that the person so hiring or employing shall be at liberty to reserve, retain, and deduct, and he is hereby authorised, required, and directed, to referve, retain, and deduct, out of the wages of every person so hired or employed, a sum of money equal to the then current price of a man's passage home, not exceeding forty shillings for each man, which money such hirer or employer shall, at the end of each fishing season, or at the expiration of the covenanted time of service of such seaman or fisherman, pay, or cause to be paid, to the master of a passage or other ship, who shall undertake or agree to carry such seaman or fisherman home to the country whereto he belongs, and shall also convey such seaman or fisherman to and on board such passage or other ship, taking the master's receipt for the passage money, which receipt he shall immediately thereupon deliver to such seaman or fisherman.

XIV. And be it further enacted by the authority aforesaid, Employers to That no hirer or employer of any such seaman or fisherman pay to fishershall pay or advance, or cause to be paid or advanced, to such men,&c. only feaman or fisherman, in money, liquor, and goods, or either of wages, and the them, during the time he shall be in his service, more than one other half in half of the wages which shall at any time be due to him; but bills, &c. at fuch hirer or employer shall, and is hereby required and direct- their return ed, immediately at or upon the expiration of every such man's covenanted time of service, to pay either in money, or in good bills of exchange, payable either in Great Britain or Ireland, or in the country to which such seaman or fisherman belongs, the full balance of his wages, except the money hereinbefore directed to be retained for his passage home; and it shall not be lawful for any fuch hirer or employer to turn away or discharge any such seaman or fisherman, except for wilful neglect of duty, or other sufficient cause, before the expiration of his covenanted time of service; and in case the hirer or employer of Penalty on any fuch seaman or fisherman shall refuse or neglect to comply employers newith any of the terms herein-before mentioned, or shall other- glecting to wise offend against this act, every such person so offending shall forfeit and pay for every such offence, besides the balance that shall be due to such seaman or fisherman, the money herein-before directed to be retained for his passage home, the sum of ten pounds, to the use of such person or persons who shall inform

or fue for the fame. XV. And be it further enacted by the authority aforesaid, If any dispute That in all cases where disputes shall arise concerning the wages arise, employof ers obliged to

54 produce the contract.

All fish and

payment of

wages.

Anno decimo quinto GEORGII III. C. 31. of any fuch seaman or fi:herman, the birer or employer shall be obliged to produce the contract or agreement in writing, hereinbefore directed to be entered into with every such seaman or fisherman.

XVI. And be it further enacted by the authority aforesaid, That all the fish and oil which shall be taken and made by the oilliable to the person or persons who shall hire or employ such seaman or fisherman shall be subject and liable, in the first place, to the pay-

ment of the wages of every such seaman or fisherman.

Penalty on ing them lelves from their emout leave.

XVII. And be it further enacted by the authority aforesaid, That in case any such seaman or fisherman shall at any time feamen or fish- wilfully absent himself from his duty or employ, without the ermen absent- leave and consent of his hirer or employer, or shall wilfully neglect or refuse to work according to the true intent and meanployers with. ing of fuch contract or agreement, he shall, for every day he shall so absent himself, or neglect or refuse to work as aforesaid, forfeit two days pay to such hirer or employer; and if any such seaman or fisherman shall wilfully absent himself from his said duty or employ for the space of five days, without such leave as aforefaid, he shall be deemed a deserter, and shall forfeit to such hirer or employer all such wages as shall at the time of such desertion be due to him, (except so much as is herein-before directed to be referved and retained for the purpose of paying his passage home;) and it shall and may be lawful to and for the governor of Newfoundland, or his furrogates, or the commissary of the vice admiralty court for the time being, or for any justice of the peace in Newfoundland, to iffue his or their warrant or warrants to apprehend every such deserter, and on the oath of one or more credible witness or witnesses to commit him to prison, there to remain until the next court of festion which shall be holden in pursuance of the commission of the said governor for the time being; and, if found guilty of the said offence at such session, it shall and may be lawful to and for the faid court of session, to order fuch deferter to be publickly whipped as a vagrant, and afterwards to be put on board a passage ship, in order to his being conveyed back to the country whereto he belongs.

XVIII. And be it further enacted by the authority aforesaid. Disputes, and That all disputes which shall arise concerning the wages of every all offences to or any fuch feaman or fisherman, and all offences which shall be be determined committed by every hirer or employer of fuch feaman or fisherby the court of man, against this act, shall and may be enquired into, heard, and determined, and the penalties and forfeitures thereby incurred shall and may be recovered in the court of session hereinbefore mentioned, or in the court of vice admiralty having jurif-

diction in the faid island of Newfoundland.

Act 6 Annæ, in trading ships, &c. in America not liable to be

fession, &c. at

Newfound-

land.

XIX. And whereas by an act of parliament, paffed in the fixth respecting sai- year of the reign of her late majesty Queen Anne, intituled, An act lors employed for the encouragement of the trade to America, it is, amongst other things, enacted, That no mariner or other person who shall ferve on board, or be retained to ferue on board, any privateer, or trading ship or refel, that shall be employed in any part of America, nor any marmer



# 1775.] Anno decimo quinto GEORGII III. C. 31.

mariner or other person being on shore in any part thereof, shall be impressed, reliable to be impressed or taken away by any officer or officers of or be- pealed. longing to any of her Majesty's ships of war, impowered by the lord high admiral, or any other person what soever, unless such mariner Shall have before deserted from such ship of war: and whereas the said privilege or exemption so given by the said act to mariners serving on ships or vessels employed in any of the seas or ports of the continent of America, or residing on shore there, is prejudicial to the fisheries carried on by his Majesty's subjects of Great Britain and Ireland, and others his Majesty's dominions in Europe, and has proved an encouragement to mariners belonging thereto to defert in time of war, or at the appearance of a war, to the British plantations on the said continent of America; be it therefore enacted by the authority aforesaid, That the faid clause, so far as it relates to the exempting of mariners or other persons serving, or retained to serve, in any ship or vessel in the seas or ports of the continent of America, or other persons on shore there, from being impressed, be and the same

is hereby repealed.

Vol. XXXI.

XX. And whereas the immoderate use of rum and other spirits, imported into Newfoundland from his Majesty's colonies and plantations in America has been found to be highly detrimental to the fisheries carried on there, and it is therefore proper to endeavour to diminish the consumption thereof; be it enacted by the authority aforesaid, That Rum, &c. imfrom and after the first day of January, one thousand seven hun- ported into Newfoundland dred and seventy-fix, there shall be paid in to his Majesty, his from America heirs and successors, for every gallon of rum, or other spirits, to pay a duty which shall be brought or imported into the island of Newfound- of 1 s. per land from any British colony or plantation on the continent of gallon. America, the sum of one shilling sterling money of Great Britain; and the same shall be collected, recovered and paid, to the How such duty amount of the value of which fuch nominal sum bears in Great ed, recovered, Britain, and may be received and taken according to the pro- and applied. portion and value of five shillings and sixpence the ounce in filver; and the faid duty hereby granted shall be raised, levied, collected, paid, and recovered, in the same manner and form, and by fuch rules, ways, and means, and under fuch penalties and forfeitures, except in such cases where any alteration is made by this act, as any other duties payable to his Majesty upon goods imported into any British colony or plantation in America are raised, levied, collected, paid, and recovered, by any act or acts of parliament, as fully and effectually, to all intents and purposes, as if the several clauses, powers, directions, penalties and forfeitures relating thereto, were particularly repeated and again enacted in the body of this present act; and that all the monies that shall arise by the said duty, (except the necessary charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same,) shall be paid into the receipt of his Majesty's exchequer, and applied and appropriated to the same uses and purposes as the duties arising by that part of the customs, commonly called The Old Subsidy, payable in Great Britain, are applied and appropriated.

XXI. And



#### Anno decimo quinto GEORGII III. C. 31. 1775.

XXI. And whereas the bounties given by an act of parliament, made in the eleventh year of the reign of his present Majesty, intituled, An act for the better support and establishment of the Greenland and whale fisheries, have been found of great advantage to the navigation, trade, and manufactures of this kingdom; and it is just and expedient that the like bounties which are granted by that all to ships fitted out from Great Britain, or any of his Majesty's dominions in America, for those fisheries should, in like manner, be granted to ships fitted out for that purpose from the kingdom of Ireland; be it there-After Dec. 25, fore enacted by the authority aforesaid, That from and after the

granted by act land.

voyage.

1775, bounties twenty-fifth day of December, one thousand seven hundred and II Geo. 3 ex- seventy-five, the respective bounties herein-after mentioned shall tended to Ire- be allowed for every thip or vessel British built, and owned by his Majesty's subjects of Ireland, and whereof the captain or master and at least one-third of the mariners are his Majesty's subjects of Great Britain or Ireland, which shall proceed from any port in the faid kingdom of Ireland within the time limited by this act on the whale fishery to the Greenland seas, and Davis's Streights, and the adjacent feas, under the several rules and restrictions Officers to cer- herein-after expressed; that is to say, Every such ship or vessel, tity that thips before the proceeds on fuch voyage, shall be visited by the profitted out, be- thall examine into fuch thin or veffel, and take an account of the fore they pro- thall examine into fuch thip or vessel, and take an account of the ceed on their tonnage thereof by admeasurement, and shall certify such his or their visitation, examination, and admeasurement, to the commissioners of his Majesty's revenue in Ireland; and if it appears by the certificate of fuch officer or officers that she hath on board fuch a number of men, provisions, boats, fishing lines, and instruments to be used in such fishery as herein-after are mentioned; that she is strongly built, and otherwise a proper ship for fuch voyage and fishery, and hath on board among her crew a sufficient number of harpooners, steersmen, and line-managers, who have been before employed in fuch voyages, (the names of such persons to be contained in such certificate;) and if it further appears by the oath of one or more owner or owners, and of the master or chief officer of such ship, written at the foot of fuch certificate, and made before the collector or comptroller of fuch port, (who are hereby impowered and required to administer the same,) that it is really and truly their firm purpose and determined resolution, that such ship shall, as soon as licence shall be granted, forthwith proceed, so manned, furnished, and accoutred, on a voyage to the Greenland feas, or Davis's Streights, or the feas adjacent, and there in the then approaching feafon to use the utmost endeavours of themselves and their ship's company to take whales, or other creatures living in the sea, and on ho other defign or view of profit in such voyage, and to import the whale fins, oil, and blubber thereof, into the kingdom of Great Britain, (naming the port to which it is their intention to return;) and if the master, after such certificate had, and oath made, do also become bound, with two sufficient securities, unto his Majesty, his heirs and successors, in the penalty of such sum

1775.] Anno decimo quinto GEORGII III. C. 31.

as shall be equal to treble the bounty intended by this act, (which

bond the faid collector, with the approbation of the comptroller, is hereby required to take, and is to be in force for the term of three years against the master and sureties for the faithful dealings of the faid master and ship's company in regard to the said thip and voyage;) then, and in all fuch cases, it shall and may Commissioners be lawful for any three or more of the faid commissioners of the in Ireland, on revenues in Ireland for the time being, on receiving fuch certifi- receiving fuch cates and oaths made, and it being certified to them by the col-certificates to lector and comptroller of such port, that sufficient security hath grant licence, been given as aforesaid, to give and grant, and they are hereby &c. required to give and grant to the mafter and owners of fuch thip, full licence and authority to proceed on such voyage as aforesaid.

XXII. And to prevent any disputes that may arise whether a ship be properly qualified and duly fitted out for the whale fiftery, according to the true intent and meaning of this act, and intitled to a certificate thereof from the custom-house officers, it is hereby enacted, That What number every thip of the burthen of two hundred tons, defigned for this of men, lines. fifthery, shall and is hereby obliged to have on board forty fishing boats, &c. ships lines of one hundred and twenty fathom each, forty harpoon mentions shall irons, four boats with seven men, including a harpooner, a have on board. Reersman, and a line manager, to each boat, making in the whole twenty-eight men besides the master and surgeon, with fix months provision at the least for such number of men; and every thip of larger burthen an increase of fix men, one boat, ten such lines and ten harpoon irons more, for every fifty tons above the faid two hundred tons, together with provisions in proportion; and every thip which thall be so employed in the faid fishery shall have on board an apprentice indentured for the fpace of three years at the leaft, for every fifty tons burthen, who shall be accounted as one of the number of men required to be on board fuch ship as aforesaid.

XXIII. And be it further enacted by the authority aforesaid, On return of That on the return of such ship to the port to which the master ships, proper and mate declared on oath their intention to return, the proper on board and officers of the customs at such port shall immediately repair on inspect the board, and view the condition of such ship and her lading, and cargo, &c. certify the same, together with their observation thereon, as also of the real tonnage of the faid ship; and the faid officers are al- and take an fo to take an account or schedule of the names of the master, account of the mate, and other persons on board, distinguishing therein the masters, harharpooners and persons more immediately employed in the said pooners,&c. fishery, and to certify the same; and the master and mate shall make oath before the collector and comptroller, (who are hereby impowered and required to administer the same,) on the back of, or annexed to the licence granted as aforesaid, which they are hereby then required to deliver up, that they did in pursuance thereof, mentioning the day of their departure, proceed on a voyage directly to the places aforesaid, and have not since been on any other voyage, or purfued any other defign or view of profit; and that they did there (mentioning the time of their

being latisfied

ties as direct.

furement of the thips.



Anno decimo quinto Georgii III. C. 31. [1775.

stay in those seas) use the utmost endeavour of themselves and their thip's company to take whales, and other creatures living in those seas; and that all the whale fins, oil, and blubber, imported (if any) in such thip, was really and bona fide caught and taken in the faid seas by the crew of such ship only, or with the assistance of the crew of some other ship duly licensed for that voyage, pursuant to the directions of this act; all which schedule, certificate, licence, and oath, shall be transmitted by the collector and comptroller of such port to the respective commissioners of the customs for that part of Great Britain where such ships shall Commissioners arrive; and such commissioners being fully satisfied of the faithof the faithful ful dealings of the master and other persons employed in such dealings of the ships with respect to such voyage and fishery, shall, on demand, master, &c. to cause payment to be made to the master or owners, or to his or pay the boun- their assigns, by the receiver general of the customs for that part ed, according of Great Britain where such ship shall arrive, the bounty or preto the admea- mium following, according to the admeasurement of such ship duly certified as aforesaid; (that is to say,) For every such ship as shall proceed on the said fishery, from the twenty-fifth day of December, one thousand seven hundred and seventy-five, to the twenty-fifth day of December, one thousand seven hundred and feventy-fix, the fum of forty shillings per ton; and for every fuch thip as thall proceed on the faid fithery from the twentyfifth day of December, one thousand seven hundred and seventyfix, to the twenty-fifth day of December, one thousand seven hundred and eighty-one, the sum of thirty shillings per ton; and for every such ship as shall proceed on the said fishery from the twenty-fifth day of December, one thousand seven hundred and eighty-one, to the twenty-fifth day of December, one thousand feven hundred and eighty-fix, the fum of twenty shillings per

Certain provifhips before any perion be intitled to the bounty.

XXIV. Provided always, and it is hereby further enacted by foes respecting the authority aforesaid, That no person or persons shall be allowed or intitled to receive the bounty herein-before granted, for any thip which thall proceed on the faid whale fithery after the twenty-fifth day of December, one thousand seven hundred and seventy-five, unless such ship shall fail from the port where she shall be surveyed, and cleared directly on her intended fishery, on or before the tenth day of April in each and every year, and shall continue with her crew in the Greenland seas, or Davis's Streights, or the adjacent feas, diligently endeavouring to catch whales, or other creatures living in those seas, and shall not depart from thence before the tenth day of August then following, unless such ship shall be laden with the blubber and fins of one whale, caught by the crew thereof, or with the affittance of the crew of some other licensed ship, before that time, or shall be forced by some unavoidable accident or necessity to depart sooner from those seas; which accident or necessity shall be verified on the oaths of the mafter and mate belonging to fuch thip, upon her return from the faid fithery, before the collector and compit eller of the cultoms at the post where she shall arrive, who shall

trani-



# 1775.] Anno decimo quinto GEORGII III. C. 31.

transmit the same, together with the schedule, licence, and other documents by this act required, to the respective commissioners of the customs for that part of Great Britain where she shall arrive.

XXV. And be it further enacted by the authority aforesaid, If monies aris-That it shall and may be lawful to and for the commissioners of ing from the the customs in England and Scotland respectively to order the re- old subsidy be spective receivers general of the customs, in case the monies re- to pay bounmaining in their hands arising from the old subsidy shall not be ties, any other fufficient at any time or times, during the continuance of this revenuemoney act, to fatisfy the faid bounty of forty shillings per ton, and thirty may be taken. shillings per ton, and twenty shillings per ton, during the several periods herein-before limited, payable on all ships employed in the faid fishery, according to the directions of this present act, to pay the same out of any money that shall be in their hands arising from any of the duties and revenues under their management respectively.

XXVI. And be it further enacted by the authority aforesaid, Commission-That the commissioners of his Majesty's customs in England and ers, at the be-Scotland respectively shall, at the beginning of every session of every session of parliament, lay before both houses of parliament an account in parliament, to writing, under their hands, of what number of ships employed lay before in the whale fishery to Davis's Streights and the Greenland seas, them an acin pursuance of this act, with their respective names and bur- ships employthens, have returned to Great Britain, and at what port in Great ed in thewhale Britain they were discharged, and also what quantity of oil, blub- fishery, &c. ber, or whale fins, each thip shall have imported, and from what

port in Ireland or the Isle of Man they were fitted out.

XXVII. And whereas it hath been found by experience, that ships under the burthen of two hundred tons are fit for the said fishery; be it therefore enacted and declared by the authority aforesaid, That Ships under every owner or owners of any ship or ships under the burthen 200 tons intiof two hundred tons, which shall be employed in the said fishery, tled to a boun-who have conformed themselves in all respects to the rules and able to their directions herein-before prescribed to the owners of ships of two admeasurehundred tons, shall be intitled to the said bounty, as herein-be-ment. fore limited, according to the admeasurement of such ship or thips respectively.

XXVIII. Provided always, and be it enacted by the authority Ships above aforesaid, That no ship to be employed in the said fishery, al- 400 tons not though she be above the burthen of four hundred tons, shall be larger bounty intitled to a larger bounty than a ship of four hundred tons would than a 400 ton

be intitled to.

XXIX. Provided also, That nothing in this present act con- and owners tained shall extend, or be construed to extend, to oblige the owner not obliged to or owners of any ship above the burthen of four hundred tons, equip, &c. in order to intitle him or them to the said bounty, to fit out, more than a equip, and man, any such ship, otherwise than as a ship of the tons. burthen of four hundred tons only is, by this present act, required to be fitted out, equipped, and manned.

XXX. Provided also, and it is hereby further enacted by the F 3

Anno decimo quinto GEORGII III. c. 31. [1775.

No apprentice, when indentured, to exceed 18, nor be under 14 years;

lets thips emploved helong to some of his Majesty's subjects where fitted out.

authority aforesaid, That every apprentice indentured after the twenty-fifth day of December, one thousand seven hundred and feventy-five, to ferve on board any thip or vessel proceeding on the fisheries in pursuance of this or any other act of parliament now in force, granting any bounty or bounties thereon, shall not exceed the age of eighteen years, nor be under fourteen, at the and no bounty time he shall be so indentured; and that no bounty shall be alto be paid un- lowed or paid for any thip or vessel so employed, either by virtue of this or any former act of parliament, unless the whole and entire property of such ship or vessel shall belong to some of his Majesty's subjects residing in that part of his Majesty's dominions from whence such thip or vessel thall be respectively fitted and cleared out, any law, custom, or usage, to the contrary notwithstanding.

Bounties may be injured.

XXXI. And to prevent any application to parliament for the bounty on any ship employed in either of the fisheries before mentioned, which may happen to be lost at sea before their return to Great Britain, be it declared and enacted by the authority aforesaid, That it shall and may be lawful for the owner or owners of any ship, employed, or defigned to be employed, in the faid fisheries, or either of them, to insure the bounty which such owner or owners would have been intitled to upon the return of fuch ship to Great Britain, on the performance of all other matters directed and appointed by this present act to be performed for obtaining the faid bounties.

falle certificates, &c. to forfeit 500 l.

XXXII. And it is hereby further enacted by the authority Persons giving aforesaid, That if any person or persons shall give or grant any falle certificate for any of the purpoles required or directed by this act, such person or persons shall forfeit the sum of five hundred pounds, and be rendered incapable of ferving his Majesty, his heirs or successors, in any office whatsoever; and if any person or persons shall counterfeit, crase, alter, or faltify, any certificate required or directed by this act, or shall knowingly or willingly make use of any false certificate, or of any certificate so counterfeited, eraied, altered, or falsified, such person or persons thall, for every such offence, forfeit the sum of five hundred pounds; and every such certificate shall be invalid, and of no effect.

Forfeitures how to be applæd.

XXXIII. And it is hereby further enacted by the authority aforesaid, That one moiety of the penalties and forfeitures inflicted by this act (except in such cases where other directions are given by this act) thall be to the use of his Majesty, his heirs and fuccessors, and the other moiety to such officer or officers of the customs as shall sue or prosecute for the same in any of his Majesty's courts of record at Westminster or Dublin, or in the court of exchequer in Scotland, or in any court of admiralty having jurisdiction in his Majesty's colonies or islands respectively, where the offence shall be committed.

XXXIV. And be it further enacted by the authority afore-Forfeitures in- said, That from and after the first day of January, one thousand curred in New- leven hundred and seventy-six, the penalties and forseitures in-



Anno decimo quinto Georgii III, c. 31. flicted by any act of parliament relating to the trade or revenues be fued for in of the British colonies or plantations in America, which shall be the vice admiincurred in the faid island of Newfoundland, shall be sued for, said island. profecuted, and recovered, in the court of vice admiralty having jurisdiction in the said island, and in no other; and if any person Persons agor persons shall think him or themselves aggrieved by any judge-grieved may ment, sentence, or determination of any court of vice admiralty, proper admior other court having jurisdiction in Newsoundland, upon any fuit ratty court in or profecution commenced there for any penalty or forfeiture in Britaing. flicted by any act of parliament relating to the trade or revenues of the British colonies or plantations in America, it shall and may be lawful for such party to appeal from such judgement, sentence, or determination, in the first instance, to the proper court of admiralty in Great Britain, or to his Majesty in council; and that no appeal shall in such case lie or be brought in any other court or jurisdiction whatsoever, any law, custom, or usage, to the contrary notwithstanding.

XXXV. And it is hereby further enacted by the authority Duties on aforesaid, That from and after the first day of January, one thou-goods export-fand seven hundred and seventy-fix, the customs and other du-tobe under the ties which now are or hereafter may be due and payable, upon direction of the any goods or merchandiles brought or imported into, or export-commissioners ed or carried from, the island of Newfoundland, by virtue of this of customs, &c. or any act or acts of parliament, and the officers of his Majesty's customs appointed for executing and carrying into execution the several laws relating to the trade and revenue there, shall be under the management and direction of the commissioners of his Majesty's customs in England for the time being, under the authority and direction of the high treasurer of Great Britain, or the commissioners of the treasury for the time being, any law, patent, custom, or usage, to the contrary notwithstanding.

XXXVI. Provided always, and it is hereby further enacted Deputations by the authority aforesaid, That all deputations and other au-commissioners thorities granted by the commissioners of the customs for North for North A-America, before the said first day of January, one thousand seven merica before hundred and seventy-six, to any officer or officers acting in and Jan 1.1776, to for the said island of Newfoundland, shall continue in force, as Newfoundland fully to all intents and purposes as if this act had not been made, to be in force. until the deputations or other authorities fo granted to fuch officer or officers respectively shall be revoked, annulled, or made void by the high treasurer of Great Britain, or commissioners of the treasury for the time being.

XXXVII. And be it further enacted by the authority afore- Persons sued faid, That if any action or fuit shall be commenced against any for any thing person or persons for any thing done in pursuance of this act of suance of this parliament, the desendant or defendants in such action or suit act may plead may plead the general issue, and give this act and the special the general ismatter in evidence at any trial to be had thereupon, and that the fue, same was done in pursuance of and by the authority of this act: and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonfuited

72

Anno decimo quinto GEORGII III. C. 32, 33. [1775.

fuited, or discontinue his action after the defendant or defendants have appeared, or if judgement shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall recover treble costs, and have the like remedy for the same as desendants have in other cases by law.

and recover treble costs.

#### C A P. XXXII.

An all to repeal an all, passed in the thirty-first year of the reign of ber majesty Queen Elizabeth, (intituled, An all against the erecting and maintaining of cottages.)

Preamble.
Act 31 Eliz.
against erecting of cuttages,

WHEREAS an act was passed in the thirty-first year of the reign of her majesty Queen Elizabeth, (intituled, An act against the erecting and maintaining of cottages:) and whereas the said act has laid the industrious poor under great disticulties to procure habitations, tends very much to lessen population, and in divers other respects has been found inconvenient to the labouring part of the nation in general; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act shall be and the same is hereby repealed.

is by this act repealed.

### C A P. XXXIII.

An aet for settling Buckingham House with the appurtenances upon the Queen, in case she shall survive his Majesty, in lieu of his Majesty's palace of Somerset House; for enabling the lords commissioners of his Majesty's treasury to sell and dispose of Ely House in Holborn, and for applying the money to arise by sale thereof, together with other menies, in erecting and establishing publick offices in Somerset House, and for embanking certain parts of the river Thames lying within the bounds of the manor of the Savoy, and for other purposes therein mentioned.

Preamble.
Act 2 Geo. 3.
recited.

WHEREAS by virtue of an act, made in the second year of the reign of his present Majesty, intituled, An act for enabling his Majesty to make provision for supporting the royal dignity of the Queen, in case she shall survive his Majesty; and by certain letters patent or indenture under the great seal of Great Britain, granted and executed in pursuance thereof, bearing date the second day of June, in the second year of his Majesty's reign, all that his Majesty's palace or capital messuage, called Denmark House, otherwise Somerset House, otherwise Strand House, with all its rights, members, and appurtenances what soever, were, among other things, for the better accommodation of her Majesty, in case she should survive his Majesty, limited to the use of his Majesty during his life, and after the decease of his Majesty, in case her Majesty should him survive, then to the use of certain trustees therein named, and their beirs, during the life of her Majesty, upon trust, to permit her Majesty to hold and en-



#### Anno decimo quinto GEORGII III. C. 33. 1775·1

joy the same during her Majesty's life, and from and after the decease of her Majesty, to the use of the same trustees for and during the term of one year from and immediately after her Majesty's decease, upon trust, for the fole benefit and beboof of her Majesty's executors, administrators, and affigns, during the same term, with remainder to bis Majesty, bis beirs and successors: and whereas his Majesty, since his accession to the imperial crown of these realms, bath purchased, with his own proper money, a capital messuage, heretofore commonly called or known by the name of Buckingham House, and also certain lands and tenements thereunto belonging or adjoining, and hath also added to the same part of the ground commonly called or known by the name of The Green Park, which is now used and enjoyed as part of the garden of the said capital messuage called Buckingham House: and whereas the Said house heretofore called Buckingham House, with its appurtenances, in which his Majesty now resides, would, in respect of its situation, as well as in every other respect, afford a much more suitable and commodious place of residence for the Queen, in case she shall survive his Majesty, than Somerset House, and his Majesty is most graciously pleased and desirous that the said capital messuage, called Buckingham House, and other the premises which are now laid to and enjoyed therewith, shall be vested in or settled in trust for her Majesty, ber executors and administrators, for the like estates and interests, which her Majesty, her executors and administrators, can or may have or claim in and to Somerset House aforesaid, by virtue of the said recited act, and letters patent or indenture, or either of them, and her Majesty is also willing and desirous to accept the same in lieu thereof: and whereas the said palace of Somerset House may, with great publick advantage, be converted into houses and apartments for holding and transacting the business of the several publick offices herein-after mentioned, for which purpose his Majesty is graciously pleased to consent, that the same shall be appropriated accordingly; be it therefore enacted, ordained, and established, by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said recited act, and All letters paall letters patent, and all and every indenture and indentures un- tent, &c. der the great seal of Great Britain made in pursuance thereof, merset House and all gifts, grants, fettlements, and affurances, whereby the is granted to faid palace or capital messuage, commonly called Somerset House, her Majesty, by and all or any of its rights, members, and appurtenances, are this act regiven, granted, or vested for or in trust for her Majesty, shall be and the same are hereby respectively repealed, annulled, and made void, with respect to the said premises only, and in no other respect whatsoever.

II. And be it further enacted by the authority aforesaid, That Buckingham all that his Majesty's house, commonly called or known by the House, with name of Buckingham House, late in the tenure or occupation of adjacent, vestfir Charles Sheffield baronet, his affigns or under-tenants, with all ed in truftees, its rights, members, and appurtenances, and all and fingular to the use of messuages, tenements, houses, outhouses, coach-houses, stables, his Majesty, edifices, buildings, courts, yards, gardens, and appurtenances



Anno decimo quinto GEORGII III. C. 33. [1775. 74

whatsoever, to the same and other the premises, or any of them, belonging or appertaining, or accepted, reputed, taken, used, or enjoyed, as part, parcel, or member thereof, and all that piece or parcel of pasture ground or park, formerly called or known by the name of Goring Great Garden, and afterwards colled or known by the name of Buckingham Park, or by whatfoever name or names the same hath lately or is now called or known, and also all those pieces or parcels of ground abutting or adjoining to the said premises, or any of them, late in the several tenures or occupations of Alexander Gardner, Helen Rumbold, William Storach, George Elkins, or any of them, all which said premises, as well freehold as leasehold, were heretofore fituate, lying and being in the parish of Saint Martin in the Fields, but now are situate, lying and being in the parish of Saint George Hanover Square, in the county of Middlesex, and also all such other messuages, closes, wood-grounds, walks, lands, tenements, and hereditaments whatsoever, which now are used with the said premises, or any part of them, together with all rights, privileges, exemptions, ways, paths, passages, easements, and free liberty of ingress and egress, held, used, and enjoyed therewith by his Majesty, shall be, and the same are hereby vested in the right honourable Henry earl of Suffolk and Berkshire, the right honourable William Henry earl of Rochford, the right honourable William earl of Dartmouth, his Majesty's three principal secretaries of state, and the right honourable Frederick North commonly called Lord North. first lord commissioner of his Majesty's treasury, and chancellor and under treasurer of his Majesty's exchequer, and their heirs, to the use of his Majesty during his life, and after the decease of his Majesty, in case her Majesty shall him survive, then to the use of her Majesty and her assigns, during the term of her Majesty's natural life, and from and after the decease of her Majefty, to the use, intent, and purpose, that the executors, administrators, and assigns, of her Majesty shall and may have, hold and enjoy, the said palace, or capital messuage, called Buckingham House, with the appurtenances, for and during the term of one whole year, to commence and take effect from and immediately after the decease of her Majesty; and from and immediately after the end and determination of the faid term of one year, then to the use of his Majesty, his heirs and successors, notwithstanding any restraint or other matter or thing contained in an act, made in the first year of the reign of her late majesty Queen Anne, intituled, An ast for the better support of her Majesty's household, and the bonour and dignity of the crown; and the faid capital meffuage, heretofore called Buckingham House, shall be accepted in law. deemed, reputed, and called, The Queen's Royal Palace.

and the faid house to be called The Queen's Royal Palace.

III. And whereas his Majesty bath laid out and expended a confiderable sum of money in the purchase and improvement of the said capital messuage, beretofore called Buckingham House, and other the premises thereunto belonging, in consideration whereof, as also for and in consideration of his Majesty's consenting to convert and consign the said palace or capital messuage, called Somerset House, for the



# 1775.] Anno decimo quinto GEORGII III. C. 33.

uses herein-after mentioned, be it further enacted by the authority 100,000 l. aforesaid, That out of all or any the revenues arisen or to arise granted to his within the receipt and government of all or any of the feveral confiderations officers of the revenue, whose offices are erected and established, expressed in or are to be erected and established by virtue of this act, there this act. shall and may be paid, issued, and applied, any sum or sums of money, not exceeding the fum of one hundred thouland pounds, at fuch time and times, and in fuch proportions respectively, as the lords commissioners of his Majesty's treasury now or for the time being, or any three of them, or his Majesty's lord high treasurer for the time being, shall direct, limit, or appoint, who are hereby authorised to issue their warrants for that purpose to fuch person and persons as his Majesty shall, by warrant or warrants under his royal fign manual in that behalf, authorise and impower to receive the same, to and for the use of his Majesty.

IV. And whereas it may be found necessary to the laying out the several offices to be established in his Majesty's said palace and capital messuage called Somerset House, and rendering the same convenient and compleat, that feveral pieces of ground in and adjacent to the scite of the faid palace or capital messuage should be set out and allotted for those purposes, and that likewise some buildings should be pulled down and removed, and other buildings added thereto; be it therefore enacted by the authority aforesaid, That it shall and may be lawful Lords comto and for the lords commissioners of his Majesty's treasury, or impowered to any three of them, or the lord high treasurer for the time being, treat or conon behalf of his Majesty, his heirs and successors, from time to tract for the time, and all times hereafter, to treat, contract, and agree, for the purchase of absolute purchase, sale, release, or surrender, of any estate or any messuages, interest in any messuages, lands, tenements, or hereditaments, for the purposes aforesaid, with the owner or owners, lessee or lesses, of such respective estate and estates, for such sum or sums of money, or upon such other terms and conditions as the said commissioners, or any three of them, or the lord high treasurer for the time being, shall think fitting; and that upon the exe- and to pay the cuting fuch contracts or agreements, by or on the behalf of fuch purchase-moowner or owners as aforesaid, or upon executing such convey- owners, &c. ances, affignments, releases, or surrenders, as on such contract or contracts thall be agreed on for that purpose, it shall and may be lawful to and for the faid commissioners of the treasury, or any three of them, or to and for the lord high treasurer for the time being, and he and they are and is hereby impowered to order and direct the payment of such sum and sums of money, from time to time, as shall be so contracted and agreed on for such purchase or purchases, to such person or persons as, according to the terms of such contracts or agreements shall be intitled to have and receive the same.

V. And be it further enacted by the authority aforesaid, That Asterpayment from and immediately after such payment of the purchase-mo- of the purney to the person or persons so intitled to receive the same, as chase money, aforesaid, or if no agreement shall be made, on making such ia- meisuages. &c. tisfaction as herein-after is mentioned, the leveral melluages, vetted in his

lands, Maielty.

Anno decimo quinto GEORGII III. C. 33. [1775.

lands, tenements, and hereditaments, in such contracts, agreements, and conveyances, mentioned and comprised, or intended so to be, together with all rights, members, and appurtenances whatsoever to the same, or any part thereof belonging, and usually held and enjoyed therewith, shall be, and the same are hereby declared to be, from time to time, unalienably vested in his Majesty, his heirs and successors, for the purposes of this act.

Bodies politick, &c. impowered to treat with the commissioners.

VI. And be it further enacted, That it shall and may be lawful to and for all bodies politick, corporate or collegiate, corporations aggregate or sole, trustees and feoffees in trust, guardians and committees for lunaticks and ideots, executors, administrators, and guardians whatfoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of their cestuique trusts, whether infants or issue unborn, lunaticks, ideots, femes-covert, or other perions whatfoever, and to and for all femes-covert who are or shall be seised in their own right, and to and for all and every person and persons whomsoever who are or shall be seised or possessed of or interested in any lands, tenements, or hereditaments, which shall be necessary to be purchased for any of the purposes of this act, to sell and convey all or any such lands, tenements, hereditaments, estates, and interests, or any part thereof, to the commissioners of his Majesty's treasury, or the lord high treasurer for the time being; and that all contracts, agreements, bargains, fales, and conveyances, which shall be made by such bodies politick, corporate or collegiate, corporations aggregate, trustees, and other persons as aforefaid, shall be good and valid in law to all intents and purposes, not only to convey the estate and interest of the bodies politick, corporate or collegiate, corporations aggregate, trustees, and other person and persons conveying, but also to convey all right, estate, interest, use, property, claim, and demand whatsoever, of their several and respective cestuique trusts, whether infants or iffue unborn, lunaticks, ideots, femes-covert, or other persons whomsoever, and all claiming or to claim, by, from, or under them; any law, statute, usage, or any other matter or thing whatsoever to the contrary thereof in any-wise notwithstanding: and all fuch bodies politick, corporate or collegiate, corporations aggregate, trustees, and other persons so conveying as aforesaid, shall be and are hereby indemnified for what they shall do by virtue and in pursuance of this act, notwithstanding any omission or mistake in matter of form whatsoever: and if it shall happen that any person or persons, bodies politick, corporate or collegiate, or other person or persons, seised or possessed or interested in any fuch lands, tenements, or hereditaments, as aforefaid, shall refuse to treat or agree, or will not agree for the sale and conveyance of their respective estates, terms, or interests therein, or by reason of absence or disability cannot or do not agree, or there shall be no person or persons in being who, as trustee or otherwise under the powers of this act, can agree with the commissioners of the treasury, or the lord high treasurer for the time being, or

If any person, bodies politick, &c. refuse to treat,



# 1775.] Anno decimo quinto Georgii III. c. 33.

with any person or persons by him or them in this behalf authorifed and appointed, or shall not produce or evince a clear title to the premises they are in possession of, or to the term or interest they claim, to the satisfaction of the commissioners of the treasury, or lord high treasurer for the time being, or of the person or persons by them so authorised or appointed; then, and notice to be in every such case, in order to settle and ascertain the value of given, that the fuch estate or estates, and of any present interests or interest, premises will term or terms of years, or other right or property of fuch person be settled by a or persons, it shall and may be lawful for any one or more per-jury. fon or persons, to be appointed for that purpose by his Majesty, his heirs or successors, under his or their fign manual, and such person or persons is or are hereby authorised, thirty days at the least before any general quarter sessions of the peace to be held for the city and liberty of Westminster, to give, or cause to be given, to fuch respective owner or owners, or to be left at their last places of abode respectively, a notice in writing, describing the faid premises, and purporting that the price or consideration of the faid premises will be adjusted and settled by a jury at the faid sessions; and the justices, at their said sessions, upon proof Justices, on to them made of such notice or notices given, shall, and they proof of noare hereby authorised and required, out of the persons summon- summon a ed, impannelled, and returned to serve on the jury at the said jury. fessions, to cause a jury of twelve persons to be drawn by some persons to be by the same court appointed, in such manner as juries for the trial of issues joined in his Majesty's courts at Westminster, by an act, made in the third year of the reign of his late Majesty, intituled, An act for the better regulation of juries, Jurymen may are directed to be drawn; and all parties concerned shall have Jurymen may be challenged, their lawful challenges against any of the said jurymen, but shall but not the not be at liberty to challenge the array; and the faid justices array. are hereby authorised and impowered, by precept or precepts, Witnesses may from time to time, as occasion shall require, to call before them be examined. all and every person and persons whomsoever who shall be thought proper or necessary to be examined as witnesses before them on their oath or oaths concerning the premises; and the said justices, if they think fit, shall and may likewise authorise the faid jury to view the place or places in question in such manner as they shall direct; and the said justices shall have power to command such jury, witnesses, and party, to attend until all fuch affairs for which fuch jury was impannelled shall be concluded; and the faid jury, upon their oath, (which oaths, Jury, on their as also the oaths to such person or persons as shall be called up- oaths, to assess
on to give evidence, the said justices are hereby impowered and every person's required to administer,) shall inquire of the value of such mes-estate, fuages, lands, tenements, and hereditaments, and of the value of the respective estate and interest of every person seised or possessed thereof, or interested therein, or of or in any part thereof, and shall affess and award the sum or sums to be paid to every fuch person or persons for the purchase of such their estates, terms, and interests; and the said justices shall give judgment and justices to

for give judge-

Anno decimo quinto GBORGII III. C. 33.

ment thereon, for such sum and sums of money so to be affested, which said which shall be verdict or verdicts, and the said judgment thereupon, shall be binding and conclusive to all intents and purposes against all and every person or persons whomsoever.

Afterpayment of money to awarded, every person to make legal conveyances to the commissioners of the treafury, &c.

cannot evince

clear titles to

the premiles,

affeffed to be paid into the

bank.

VII. And be it further enacted, That upon payment of such fum and fums of money so to be awarded or adjudged, the perfon or persons to whom the same shall be so awarded, for the purchase of the said lands, tenements, or hereditaments, or for

the purchase of any estate, term, or interest therein, shall make and execute, or cause and procure to be made and executed, good, valid, and legal conveyances, affignments, and affurances, in the law, to the commissioners of his Majesty's treasury, or lord high treasurer for the time being, or to such person or persons

as he or they shall order, direct, or appoint, of the said lands, tenements, or hereditaments, or of fuch estate, term, or interest, for which fuch fum or fums of money shall be so awarded, and

thall procure all necessary parties to execute such conveyances, assignments, and assurances, and shall do all acts, matters and things necessary and requisite to make a good, clear, and perfect

title, to the commissioners of his Majesty's treasury, or the lord high treasurer for the time being, or the person or persons so to

be appointed by him or them, as aforefaid; and fuch conveyances, affignments, and affurances, shall contain all reasonable

and usual covenants, as on the part of the commissioners of his Majesty's treasury, or lord high treasurer for the time being, or

of the person or persons to be appointed by him or them, as In case persons aforesaid, shall be reasonably required: and in case such person

or persons, to whom such sum or sums shall be so awarded, as aforesaid, shall not be able to evince their title to the premises, &c. the money or shall refuse so to do, being thereto required, or such sum or

sums so affested or awarded as aforesaid, being tendered to be paid to him, her, or them, to whom the same shall have been awarded, shall be refused; or in case such person or persons, to

whom fuch fum and fums of money shall be so awarded, cannot be found within the liberty of Westminster aforesaid; or in case, by reason of disputes depending in any court of law or equity, or

for any other cause, it shall not appear what person or persons is or are intitled to the premises in question; then, and in every such

case, it shall and may be lawful to and for the justices, at any general quarter sessions to be held for the city and liberty of

Westminster aforesaid, to order the said sum and sums to be assessed and awarded as aforesaid, as and for the value of and purchase-money for the said lands, tenements, and hereditaments,

to be paid into the bank of England, in the name and with the privity of the accountant general of the high court of chancery, to be placed to his account, to the credit of the parties interested

in fuch lands, tenements, or hereditaments, or of so many of them as shall be then in effe, describing them, subject to the

order, controul, and disposition of the said court of chancery, which faid court of chancery, on the application of any person

or persons making claim to such sum by motion or petition,



# 1775.] Anno decimo quinto Georgii III. c.33:

shall be and is hereby impowered, in a summary way of proceeding, or otherwise, as to the said court shall seem meet, to order the distribution of, according to the respective estates or estate, title or interest, of the person or persons making claim thereunto, of, in, or to fuch lands, tenements, or hereditaments, to be made appear to and to be declared by the faid court, and according to the value thereof affeffed as aforefaid, and to make fuch other order in the said premises as to the said court shall

feem just and reasonable.

VIII. And be it further enacted, That immediately from and After such after such verdict, judgment, and order of the said court of verdict, and sessions, and payment into the bank, as aforested all the effects payment into festions, and payment into the bank, as aforesaid, all the estate, the bank, right, title, term, interest, use, trust, property, claim, and de-lands,&c.vestmand, in law and equity, of the person or persons for whose use ed in the comfuch money shall be paid in, to, and out of the said lands, tene-missioners. ments, hereditaments, and premises, shall be transferred to and vested in the lords commissioners of his Majesty's treasury, or the lord high treasurer for the time being, for the purposes herein-after mentioned, and he and they shall be and be deemed in law to be thenceforth in the actual seisin and possession thereof to all intents and purposes, as fully and effectually as if every person, having any estate in the premises, had actually conveyed the same to them by lease and release, bargain and sale inrolled, feoffment with livery and feifin, fine and recovery, affignment, or any other legal conveyance whatfoever; and fuch payment shall extend to and be deemed and construed to bar the dower and dowers of the wife and wives of fuch person and perions, and all estates tail, in reversion or remainder, as effectually as a fine or recovery, or either of them, would do, if levied or fuffered by the proper parties in due form of law; and the lords commissioners of his Majesty's treasury, or the lord high treafurer for the time being, or other person or persons to whom the faid premises shall by the commissioners of the treasury, or lord high treasurer for the time being, be ordered or appointed to be conveyed as aforefaid, shall be quieted in the seifin and posfession of the lands, tenements, and hereditaments, for which fuch money shall be so paid as aforesaid, and shall not be answerable or accountable in any court of law or equity for the faid money any otherwise than according to the tenor, purport, and true meaning of this act.

IX. And be it further enacted, That in case any femes-covert If semes-cois or shall be seised in fee-simple, or in tail general or special, or vert be seised for life, or for any lesser interest of any such lands, tenements in fee-simple, for life, or for any lesser interest of any such lands, tenements, the purchaseand hereditaments, fo to be purchased as aforesaid, to her sepa-money to be rate use, free from the controul or intermeddling of her husband, reinvested in the purchase-money arising from the sale of such estate, term, or the purchase interest, of such seme-covert, on the conveyance of such estate, of other lands. term, or interest, to the commissioners of the treasury, or lord high treasurer for the time being, or other person or persons to be appointed as aforesaid, shall be paid to such person or perfons as the shall by writing under her hand nominate to receive

Anno decimo quinto GEORGII III. C. 33. [1775.

the same, in trust, to be reinvested in lands, tenements, or hereditaments, to be conveyed and settled for such uses, estate, and interest, as the said seme-covert had in the premises so purchased as aforefaid.

Purchase-momitation to be paid into the bank,

X. And be it further enacted, That in case any messuages, ney for lands, lands, tenements, or hereditaments, which shall be purchased &c. under li- for the purposes contained in this act, shall be so settled, or stand limited by way of legal limitation, as that the person or persons in possession thereof shall not be intitled to an estate of inheritance therein, although the said messuages, lands, tenements, and hereditaments, be not vested in any trustee or trustees, then the purchase-money arising from the sale of such estate shall be paid into the bank, in the name and with the privity of the accountant and applied to general of the said court of chancery, upon trust, to be reinvestpurchase lands ed, by and with the approbation of the said court of chancery, subject to the to be signified by an order or orders, upon motion in open

miffioners;

and till foch

inverted in

government

lecurities,&c.

those purchas- court, or petition after such reference, (if any) as to the same ed by the com- court shall seem meet, in the purchase of other messuages, lands, tenements, or hereditaments, to be conveyed and fettled to and upon, and subject to the like uses, trusts, limita-

tions, remainders, and contingencies, as the messuages, lands, tenements, and hereditaments, which shall be purchased by the commissioners of the treasury, or lord high treasurer for the time being, or other person or persons as aforesaid, were respectively settled, limited, or assured, at the time of purchasing the same, or so many thereof as, at the time of making such

conveyances and settlements, shall be existing and capable of taking effect; and in the mean time, and until such purchase can be found, in trust, by and with the like approbation, so sigpurchase can nified as aforesaid, to be invested in government securities, and be made, to be

the interest and dividends arising therefrom to be paid and applied to fuch person and persons as would be intitled to the rents and profits of the premises, in case the same had not been

vested in the commissioners of the treasury, or lord high treafurer for the time being, or any person to be appointed as aforefaid; and upon payment of fuch purchase-money by the com-

missioners of the treasury, or lord high treasurer for the time being, to such person or persons so as aforesaid nominated to re-

ceive the same, the premises for which the same shall be so paid shall be and are hereby vested in the commissioners of the trea-

fury, or lord high treasurer for the time being.

How money fale of lands belonging to hodies corpobe applied.

XI. And be it further enacted, That the principal money ariting by the ariting from the sale of any messuages, lands, tenements, or hereditaments, which shall be purchased for the purposes contained in this act, of any body politick, corporate or collegiate, corporate, &c. is to ration aggregate or sole, being feoffees in trust, guardians, committees, or other truffees, shall be paid to them respectively, or to such persons as they shall respectively nominate to receive the same, in trust, with all convenient speed then afterwards to be reinvested in the purchase of other messuages, lands, tenements; or hereditaments, to be conveyed and fettled to and upon, and **fubject** 



## 1775.] Anno decimo quinto GEORGII III. C. 33.

fubject to the like uses, trusts, limitations, remainders, and contingencies, as the messuages, lands, tenements, and hereditaments, which shall be purchased from them respectively as aforesaid, were respectively settled, limited, and assured, at the time of such the purchasing of the same, or so many thereof as at the time of making such conveyances and settlements shall be existing and capable of taking effect; and in the mean time, and until such purchase can be found, in trust, to be invested in government securities, and the interest and dividends arising therefrom to be paid and applied to such bodies politick, corporate or collegiate, corporations aggregate, trustees, and other person and persons as would be intitled to the rents and profits of the premises, in case the same had not been vested in the commissioners of his Majesty's treasury, or lord high treasurer for the time being, by virtue of this act.

XII. And whereas a further carrying on of the embankment already made in divers places on the north shore of the river Thames, between Westminster Bridge and the new bridge at Blackfriars, by extending such embankments from the south-east corner of Kitchiner's wharf in one uniform line to Strand Lane Stairs, lying within his Majesty's maner of the Savoy, would contribute to the improvement of the navigation of the Thames, and to the advantage as well as ornament of the offices here ifter to be established, and of his Majesty's precinet of the Savoy; he it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for any one or Persons apmore person or persons, to be appointed for that purpose by his pointed by his Majesty, his heirs or successors, under his or their sign manual, Majesty may and such person and persons is and are hereby authorised to in-river, from close and embank, or cause to be inclosed or embanked, so much Kitchiner's of the ground and foil of the faid river as lies unembanked on wharf, prothe north side thereof, from the south-east corner of Kitchiner's jecting 30 feet; wharf, and projecting from thence thirty feet into the river, and stairs. fo continued in a uniform line, to as to give a proper direction to the stream, and extending from thence eastward to Strand Lane stairs; the foundation of the said front wall, to be made with such set-off towards the said river, and the said wall to be guarded with such piles and other defences, as shall be thought requisite and expedient for securing the stability or duration

XIII. And be it further enacted by the authority aforesaid,
That the ground and soil of the said river, so to be inclosed Embankment
and embanked in the front of the said palace or capital messuage veited in his
of Somerset House, and garden thereunto belonging, shall vest, and
the same are hereby vested in his Majesty, his heirs and successors; for the uses and purposes herein-after mentioned; and
all the rest and residue of the ground and soil of the said river,
to be inclosed and imbanked as aforesaid, shall vest in, and the
same is hereby vested in his Majesty, his heirs and successors, in
right of and as parcel and member of his duchy of Lancaster.

XIV. And be it further enacted, That it shall and may be Owners of lawful to and for the owner or owners, proprietor or proprietors, wharfs may Vol. XXXI.

G

for embank with-

direct.

# Anno decimo quinto GEORGII III. C. 33. [1775.

in certain lias his Majefty's commiffioners (hall

for the time being of the respective houses, wharfs, and grounds, mits specified, situate between the Adelphi terras and the west corner of the buildings called The Savoy, to make fuch embankments, and erect fuch houses and other buildings, on the said grounds, as the lord high treasurer, or the commissioners of his Majesty's treasury for the time being, shall, by warrant under his or their hand or hands, authorise and direct, any thing herein, or in an act, intituled, An all for enabling certain persons to inclose and embank part of the river Thames, adjoining to Durham-yard, Salisbury-street, Cecil-street, and Beaufort-buildings, in the county of Middlesex,

contained to the contrary notwithstanding.

ing right in the foil of the river may try their right of claim at law.

fer, the issue to be tried by a jury.

Court, upon the verdict of the jury, to give judgement, which shall be final.

XV. And whereas it is but just and reasonable, that any bodies politick or corporate, and all other person and persons who claim any right to the foil of the river Thames, so intended to be inclosed as aforesaid, should be at liberty to try such right at law; be it there-Persons claim- fore enacted, That it shall and may be lawful to and for every fuch person and persons, bodies politick and corporate, sole or aggregate, to proceed to trial of fuch claim or right before the chief justice, or any other of the judges of the court of king's bench or court of common pleas respectively, at the sittings of Nisi Prius in the said county of Middlesex, in or after Michaelmas term now next enfuing, in a feigned action for that purpose, to be commenced in either of his Majesty's said courts, on or before the first day of Trinity term next ensuing, wherein such person or persons, bodies politick or corporate, as aforesaid, shall be plaintiff or plaintiffs upon one or more issue or issues, to be fettled in the court of which the faid action shall be com-If parties dif-menced, if the parties shall differ about the settling thereof; fuch iffue or iffues to be tried by a special jury of freeholders of the faid county of Middlesex, whose verdict thereupon, if the same shall be satisfactory to the court where the cause is tried, shall be final and conclusive to all the said parties; and in case a verdict shall be found for such plaintiff or plaintiffs as to the faid right, the faid jury shall upon their oaths enquire, as well what damages have been or will be fustained by, and what recompence ought to be made for, so much of the soil of the said river Thames as thall be taken away for the purpoles of embanking as aforesaid, as well as the respective parts and proportions of such damages and satisfaction which ought to be paid and borne in proportion to their respective interests therein, by or in respect of his Majesty's said palace of Somerset House, and his faid manor of the Savoy, and to indorse the same upon the Postea; and for the better ascertaining such damages, and the proportions thereof, as aforesaid, the court in which the said action shall be commenced shall, upon the application of either of the parties, cause the said jury to view the places in question, to which said jury all parties, and all others interested, shall have their lawful challenges; and the faid court where the faid action shall be tried shall, upon the verdict of the said jury in such feigned action, give judgment thereon according to law; which judgment shall be recorded by the said court, and shall finally bind



1775.] Anno decimo quinto Georgii III. c. 33. bind and conclude all parties, and all others interested in the said

embankment. XVI. And be it further enacted by the authority aforesaid, After passing That from and after the passing of this act, all that his Majesty's this act, Sofaid palace or capital messuage, called by the name of Denmark with all its ap-House, otherwise Somerset House, otherwise Strand House, situate purtenances, in or near the parish of Saint Mary at Strand, in the county of &c. vested in · Middlesex, with all its rights, members, and appurtenances his Majesty, whatfoever, and all and fingular houses, outhouses, stables, coachhouses, edifices, buildings, courts, yards, gardens, and appurtenances whatfoever, to the faid palace or capital meffuage belonging or appertaining, or accepted, reputed, taken, or enjoyed, as part, parcel, or member thereof, or of any part thereof; and also so much of the ground and soil of the said river Thames, so to be inclosed and embanked as aforesaid, as lieth in the front of the faid palace or capital messuage called Somerset House, and the garden thereunto belonging; and also all such messuages, lands, tenements, and hereditaments, as shall at any time be purchased by the lords commissioners of the treasury, or any three of them, or by the lord high treasurer for the time being, by virtue of the powers and authorities contained in this act, together with all erections and buildings now erected and built upon the faid premifes, or any part thereof, or that shall or may at any time hereafter be erected and built thereon, or any part thereof, shall be, and the same are hereby declared to be vested in his Majesty, his heirs and successors, freed and discharged, and absolutely acquitted, exempted, and indemnified, of, from, and against, all former grants, charters, titles, estates, or other incumbrances whatfoever, for the use, intent, and purpose of erecting and esta- for the purblishing; within the same, or upon the ground and scite there- pose of erectof, the feveral publick offices hereafter mentioned; that is to ing publick fay, The salt office, the stamp office, the tax office, the navy office, the navy pay office, the navy victualling office, the publick lottery office, the hawkers and pedlars office, the hackney coach office, the surveyor general of the crown lands office, the auditors of the imprests office, the pipe office, the office of the duchy of Lancaster, the office of the duchy of Cornwall, the office of ordnance, the King's barge-master's house, the King's bargehouses, and such other publick offices and buildings as shall be thought fit by his Majesty, his heirs and successors, and convenient to erect and establish there, notwithstanding any restraint, or any other matter or thing contained in an act of parliament, made in the first year of the reign of her late majesty Queen Anne, (intituled, An all for the better Support of her Majesty's household, and the honour and dignity of the crown;) or any thing in the faid recited act, made in the second year of the reign of his present Majesty, (intituled, An act for enabling his Majesty to make provision for supporting the royal dignity of the Queen, in case she shall survive his Majesty;) or any other law, statute, or usage, to the contrary thereof in any-wife notwithstanding.

XVII. And be it further enacted by the authority aforcsaid. G 2 That

### Anno decime quinto Georgii III C.33. [1775.

ter the bullness of fuch respective office. and all acts, matters, &c. . done there to

When the of. That when all or any of the faid feveral offices, and fuch as may. fices are erect- hereafter be erected or established, shall be so built and established, every one ed, as aforesaid, the same shall be severally and respectively acbe called af- cepted in law to be the proper office, and shall be called after the denomination of the revenue or butiness of such respective office; and that all and every act and acts, thing and things, matters. and concerns respectively, made, done, or executed there concerning such office, or the receipt and management of any of his Majesty's said revenues respectively, shall be and are hereby be valid in law. declared to be as good and valid in the law, to all intents and purposes, as such act or acts, matters, things, or concerns, would have been, had the same been made, done, and executed at any ancient, present, or accustomed office, had this act never been made.

As by act 12 Geo. 3. Ely came vefted in his Majefty, for the purpoles there in mentioned,

XVIII. And whereas by an act, made in the twelfth year of the reign of bis present Majesty, (intituled, An act for vesting Ely House, &c. be- House in Holbourn in his Majesty, his heirs and successors, and for applying the purchase-money, with another sum therein mentioned, in the purchasing a free-hold piece of ground in Dover-street, in the building and fitting up another house thereon for the future residence of the bishops of Ely, and the surplus to the benefit of the see, and for other purposes therein mentioned,) all that house called Ely House, situate in Holbourn, in the country of Middlesex, and all that and those the chapel, coach-bouses, flables, and other offices, gardens and yard thereto belonging, with all the rights, members, and appurtenances to the house and premises belonging, upon such compensation, and with such saving, as therein particularly expressed in that behalf, became vested in bis Majesty, bis beirs and successors, to the intent, among other things, that the same should be applied to erest and establish publick offices thereon, as in and by the faid recited act, relation thereunto being had, may more fully appear s and whereas the faid bouse called Ely House, and other the premises, bave been found not so convenient for the purposes aforesaid as the said palace or capital messuage called Denmark House, otherwise Somerset House; and part of the said palace or capital messuage called Denmark House, otherwise Somerset House, or of the messuages, lands, and tenements, to be purchased as herein-before is provided, or of the land to be acquired and taken in by such embankment as is berein-before mentioned, may not be required, or necessary to the erection and establishment of the offices aforesaid; and it will be very advantageous to the publick that the faid Ely House, and all the premises thereto belonging, and all such part of the faid palace or capital messuage called Denmark House, otherwise Somerset House, and other the premises as shall not be necessary to the erection and establishment of the offices aforesaid, should be sold; and also all such grounds, buildings, messuages, and tenements, with their appurtenances, as are now used and employed as and for any of the publick offices to be erected and established as aforefaid, and whereof or wherein his Majefly, or any perjon or perfons in trust for him, bave or bath any estate or interest, other they and except such houses, rooms, or apartments, as are part of bis Majesty's royal palace of Whitehall, sould, after the removal of such offices,



# 1775.] Anno decimo quinto GEORGII III. C. 33.

fices, be likewife fold, for such eftate and interest as his Majesty, or any other person or persons in trust for him, have or hath therein, or that the faid house called Ely House, and other the premises, should be otherwise disposed of to the best advantage, and that the purchasemoney or other profits thereof, to be paid into the hands of the lords commissioners of his Majesty's treasury for the time being, or into the bands of such person as they or any three of them shall by warrants under their bands direct or appoint to receive the same, should be applied and disposed of in creeting and establishing such publick offices as aforefaid, upon the terms and in the manner herein-after mentioned for that purpole; and his Majesty is therefore pleased and contented that the same be enacted, ordained, and established accordingly; be it therefore ordained, enacted, and established, by the authority aforesaid, That the said house called Ely House, and all that and the said house those the chapel, coach-houses, stables, and other offices, gar- and such parts dens, and yard thereunto belonging, with their and every of House, &c. as their rights, members, and appurtenances, which by the faid may not be recited act were veiled or intended to be vested in his Majesty, necessary for his heirs and successors, as aforesaid, and also all such part and the publick ofparts of the said palace and capital messuage called Denmark fices, now vett-House, otherwise Somerset House, and other the premises, except commissioners, as before excepted, as shall not be necessary for the erection and and may be establishment of the several offices aforesaid, and also all such sold, &c. grounds, buildings, messuages, and tenements, with their rights, members, and appurtenances, as are now used and employed as and for any of the publick offices hereafter to be erected and established as aforesaid, and whereof or wherein his Majesty, his heirs and successors, or any person or persons in trust for him or them, now have or hath, or can or may have, any estate or interest, except as before excepted, shall be vested in, and the same are hereby vested in the commissioners of his Majesty's treasury, or the lord high treasurer for the time being, to the intent that the same may be bargained, sold, or leased, disposed of, and applied to and for the feveral purposes herein-after mentioned; and that it thall and may be lawful to and for the faid commissioners of his Majesty's treasury, or any three of them, or the lord high treasurer for the time being, to treat, contract, and agree, with any person or persons, bodies politick or corporate, their heirs, successors, and assigns, for the sale, or for the leasing of all or any part of the estate, right, title, or interest, in or to all or any of the premises so vested in the commissioners of the treasury as aforesaid, for the most money that can be got for the same, or upon terms and conditions the most advantageous that can be got: and that upon the executing such contracts Conveyances, or agreements by the commissioners of his Majesty's treasury, assignments, or any three of them, or the lord high treasurer for the time chasers to be being, or upon executing such other conveyances, surrenders, or good in law demiles, as in such contract or contracts thall be agreed on for against all that purpose, and payment of the price at such time or times as claims, &c. shall be agreed on, into the hands of such person or persons as shall be appointed for that purpose as aforesaid, to be applied



1775-Anno decimo quinto GEORGII III. C. 33.

and disposed of according to the directions of this present act, fuch conveyances, assignments, surrenders, and demises, shall be good and effectual in the law, to all intents and purposes, and shall acquit and discharge every such purchaser or lessee, his and their heirs, successors, executors, administrators, and assigns, as against his Majesty, his heirs and successors, and all other person or persons claiming or to claim, by, from, under, or in trust for him or them, or the said commissioners or their trustees, notwithstanding any restriction or other matter or thing contained in the said act of the first of her late majesty Queen Anne, or any other law or statute whatsoever.

How the money arising by the fale of Ely House, &c. is to be applied.

XIX. And be it further enacted by the authority aforefaild, That all and every fum and fums of money arising by such fales or contracts, or by any conveyances, affignments, furrenders, or demises, made in pursuance thereof, of the said house called Ely House, and other the premises so by this act vested in the commissioners of the treasury as aforesaid, or of any part thereof, shall be issued and applied, and are hereby appropriated and applied to the uses and for the purposes following; that is to fay, in the first place, for paying and defraying all expences incurred in and about executing and compleating fuch fale or fales as aforesaid, or relating thereto respectively; and after payment of fuch charges and expences aforefaid, the furplus and refidue of the faid money shall be applied for and towards the expences of inclosing and embanking so much of the ground and soil of the river Thames, so to be inclosed as aforesaid, as lieth in the front of the faid palace or capital messuage called Denmark House, otherwise Somerset House, and the garden thereunto belonging; and for and towards payment of the confideration for any purchase to be made in pursuance of this act; and for and towards the expences of laying out, building, finishing. compleating, and maintaining, all and each of the feveral publick offices herein-before mentioned; and it shall and may be lawful for the commissioners of his Majesty's treasury, or any three of them, or the lord high treasurer for the time being, to issue his or their warrant from time to time for the payment and application of such sum and sums of money accordingly.

If money arifing by fales, plied.

XX. And be it enacted by the authority aforesaid, That in case the money arising by such sale or sales, demises or surren-&c. be not suf- ders of the said house called Ely House, and other the premises, ficient, money to vested in the commissioners of his Majesty's treasury, to be naval services, sold or demised as aforesaid, shall not be sufficient to answer the &c.may beap. purposes for which the same is appropriated as aforesaid, that then it shall and may be lawful to and for the commissioners of his Majesty's treasury, or any three of them, or the lord high treasurer for the time being, and he or they are hereby impowered, by warrant under his or their hand or hands, by or out of all or any of the aids or supplies granted or to be granted by parliament, for or towards all or any of the naval services, and out of all or any of the revenues arising or to arise to his Majesty, within the receipt, management, or government of all or



# 1775.] Anno decimo quinto GEORGII III. C. 34.

any of the several offices erected and established, or to be erected and established by virtue of this act, to order and direct, from time to time, such sum and sums of money as he or they shall judge necessary for answering the purposes aforesaid, and carrying the intentions of this act into effectual execution: saving Saving clause. always to all and every person and persons, their heirs, executors, and administrators, and all bodies politick and corporate, and their successors, (other than and except the King's most excellent Majesty, his heirs and successors, and other than such person or persons seised or possessed in trust for his Majesty, his heirs and fuccessors,) all such estate, right, title, interest, and demand whatsoever, which they, or any of them, have, or might have had, of, in, to, or out of the said palace called Denmark House, otherwise Somerset House, or to the said capital messuage, late called Buckingham House, and other the premises, or any part thereof, before the making of this act, as fully and effectually, to all intents and purposes, as if this act had not been made; any thing herein contained to the contrary notwithstanding.

XXI. And be it further enacted by the authority aforesaid, Commissioners That the faid lords commissioners of his Majesty's treasury now of the treasury or for the time being, or the lord high treasurer for the time be- indemnified ing, and each and every other person and persons authorised by for what they them, or any three of them, to do any act in execution of any fuance of this of the powers intended to be hereby veited in them respectively, act. as aforefaid, are and shall be hereby indemnified for what they shall do in pursuance of this act: and that if any action shall be Actions to be brought or fuit commenced against any person or persons for brought withany thing done in pursuance of this act, or in relation to any of in three months, &c. the premiles herein-before mentioned, every fuch action or fuit shall be laid or brought within three calendar months after the fact committed; such action shall be laid in the county of Middlesex, and not elsewhere; and the defendant or defendants in Defendants fuch action or fuit shall and may be at liberty to plead the gene- may plead the ral issue, and give this act and the special matter in evidence, general issue. without specially pleading the same: and this act and every clause and matter therein shall by all and every judge and other person and persons be construed and adjudged as largely and beficially as can be for the ends and purposes herein expressed.

XXII. And it is hereby declared to be a publick act of parlia- Publick act, ment; and all judges, justices, and others, are hereby required to take notice thereof as such, without specially pleading the fame.

C. A P. XXXIV.

An act for encouraging the manufactures of rape oil, and other vegetable oils, in this kingdom, by reducing the duties on rape feed, and other feeds producing oil, imported from Ireland; and for allowing the free importation of rape cakes for manure from Ireland to this kingdom.

XI HEREAS by an act, possed in the twelfth year of the Preamble. reign of his late mojesty King Charles the second, (intituled, Act 12 Car. 2. G 4



#### Anno decimo quinto GEORGII III. C. 34. 1775.

An act for granting to his Majesty a subsidy of tonnage and poundage, and other fums of money payable on merchandise exported and imported,) heavy duties have been imposed upon rape seed, and upon oil extracted from rape seed, and other vegetable cils imported from Ireland, which duties, by an act, possed in the eleventh

1. made perpetual.

tyact it Geo. year of the reign of his late majesty King George the first, have been made perpetual; and the faid duties have been found by experience to amount to a probibition of the importation of the said commodities from his Majefly's faid kingdom of Ireland : and whereas this kingdom, not being able to supply its own consumption, is obiged to purchase large quantities of oils of different sorts from foreigners, in the place of many of wbich forts now imported on low duties, oils made in this kingdom of rape feed imported from Ireland might be advantageously substituted, and particularly for the use of the woodlen manufacture: and whereas there is reason to apprehend that there may be a deficiency in the quantity of whale oil, and other fish oi!, so necessary for a variety of manufactures, which deficiency may be best provided against by a supply of vegetable oil to be manufactured in this kingdom; may it therefore pleafe your Maight that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons in this prefent parliament affembled, and by the au-After Aug. 1. thority of the same, That from and after the first day of August, one thousand seven hundred and seventy-five, whenever the price of middling British rape seed, at the ports and places where rape feed shall be imported into this kingdom, shall apall former du- pear, according to the methods directed by the several acts of parliament for ascertaining the rates and prices of corn and grain imported, to be at or above the price of feventeen pounds and ten thillings per last, all duties heretofore imposed upon or payable on account of any rape feed, or other feed commonly made use of for the purpose of extracting oil from the same, imported from Ireland, thall cease, determine, and he no longer paid; and in lieu thereof, there shall be paid to his Majesty, his thereof is sper heirs and successors, a duty of one thilling per latt, and no more, upon all rape feed, and upon all other feeds commonly made use of for the purpose of extracting oil therefrom, such seeds being of the growth of Ireland, and imported from thence into Great Britain.

1775, when rape feed thall be above 171. ros. per laft, ties on fuch feed imported from Ireland shall cease;

and in lieu Jaft fliall be paid, and no more.

How duties are to be collected and apphed.

Rane cak's for manure may be imported from I. eland dutyfrec.

II. And be it further enacted, That the said duties shall be levied, collected, paid, and applied, in fuch and the lame manner, and for such and the same uses and purposes, as the duties granted by the said act of the twelfth year of the reign of his late majesty King Charles the second are directed to be levied, collected, paid, and applied.

III. And be it further enacted by the authority aforesaid, That from and after the first day of August next, it thall and may be lawful to import, into any part of Great Britain, from Ireland, all rape cakes, or cakes made of rape feed, commonly used for the purpose of manure, duty-free.

# 1775.] Anno decimo quinto GEORGII III: C.35, 36.

#### CAP. XXXV.

An all to permit the free importation of raw goat skins into this kingdom for a limited time.

WHEREAS it would tend greatly to encourage and improve Preamble. the manufacture of red, green, and blue leather, in this kingdom, if the importation of raw and undressed goat skins duty-free was permitted for a limited time; may it therefore please your Majesty that it may be enacted : and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament affembled, and by the authority of the same, That from and After June 20, after the twentieth day of June, one thousand seven hundred and 1775, raw seventy-five, it shall and may be lawful to and for any policy skins seventy-five, it shall and may be lawful to and for any person or may be impersons to import and bring into this kingdom, in British-built ported from thips or vessels, navigated according to law, from any port or any place into place whatfoever, any goat skins raw or undressed, without pay-duty-free for ing any sublidy, custom, or other duty whatsoever for the same, 5 years. for the space of five years, from the said twentieth day of June, one thousand seven hundred and seventy-five, or at any time thereafter before the end of the then next session of parliament, any law, custom, or usage, to the contrary notwithstanding.

II. Provided always, and it is hereby further enacted by the Due entry of authority aforesaid, That due entry shall be made of all such all such goats goat skins at the customhouse belonging to the port into which skins to be the same shall be imported, in such manner and form as was used custom house; and practifed before the making of this act; and fuch goat skins shall be landed in the presence of the proper officer or officers of the customs appointed for that purpose; and if any person or and on depersons, upon the importation of such goat skins, shall not ob-fault, to be ferve and perform the faid rules and regulations herein-before liable to for-, mentioned, every such person shall be liable to pay such and the mer duties. fame duties as such goat skins would have been subject and liable to if this act had not been made, any thing-herein contained to

the contrary notwithstanding.

#### C A P. XXXVI.

An all to explain and amend an alt, made in the tenth year of the reign of his present Majesty, intituled, An act to enable the speaker of the house of commons to issue his warrants to make out new writs for the choice of members to ferve in parliament, in the room of such members as shall die during the receis of parliament; and for enabling the speaker of the bouse of commons to make out new writs for the choice of members to Jerve in parliament, in the room of such members as shall during the recess of parliament become peers of Great Britain, and te summoned to parliament; and for suspending the execution of the Jaid all with respect to the borough of Shaftesbury, in the county of Dorlet, during the next recess of parliament.

THEREAS by an act, passed in the tenth year of his present Preamble. Majesty's reign, (intituled, An act to enable the speaker of Act to Geo. 3. the recited.



Anno decimo quinto GEORGII III. c. 36. [1775.

the house of commons to issue his warrants to make out new writs for the choice of members to serve in parliament, in the room of such members as shall die during the recess of parliament,) the speaker of the house of commons is required to iffue his warrants to the clerk of the crown to make out new writs in the room of members who die during a recess of parliament for more than twenty days, whether by prorogation or adjournment, the deaths of fuch members having been certified in writing to him under the hands of two members of the house of commons, and fourteen days notice being first given by the speaker of the house of commons thereof, and of his intentions to iffue fuch warrants, by inserting such notice in the London Gazette: and whereas inconveniences might arise if such notice should be inserted in the London Gazette, and such warrant should be iffued by the speaker of the house of commons, in the case of the death of a member, which shall not be certified to the speaker of the house of commons so long before the actual meeting of the house of commons for the dispatch of business as that the said notice may be inferted, and the fourteen days expire, before the said meeting of the bouse of commons; or in the case of the death of a member against whose election or return a petition had been presented to the house of commons, and was depending at the time of such prorogation or adjournment: for preventing the same, be it declared and enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That nothing in the said act contained extends, or shall be construed to extend, to require the speaker of the house with respect to of commons to insert notice in the London Gazette, or issue his warrant to make out a new writ in the room of any member the illuing of writs for mem- deceased, whose death shall not be duly certified to the speaker in parliament, of the house of commons so long before the actual meeting of the house of commons for the dispatch of business as that the speaker of the house of commons may be able to insert notice thereof, and of his intention to iffue fuch warrant, fourteen days at the least before such meeting of the house of commons; or for the election of a member to serve in parliament for any county, thire, city, borough, cinque-port, or place, in the room of any member deceased, against whose election or return for fuch county, shire, city, borough, cinque-port, or place, a petition had been presented to the house of commons, and was actually depending at the time of fuch prorogation or adjourn-

speaker to iffue his wara receis, for electing meinbecome peers of Great Britain.

Explanation

of said act

II. And whereas it would tend still further to promote the purposes of the said att of the tenth year of his present Majesty, and to prevent rants, during those inconveniences and disorders which may be occasioned for want of more speedy elections of members of the house of commons, if the provisions of the faid all were extended to the cases of members who room of those shall become peers of Great Britain, be it enacted by the authority aforesaid, That from and after the end of this present session of parliament, it shall and may be lawful for the speaker of the house of commons for the time being, during the recess of par-



# 1775.] Anno decimo quinto Georgii III. c. 37.

liament for more than twenty days, whether by prorogation or adjournment, and he is hereby required to iffue his warrants to the clerk of the crown, to make out new writs for electing members of the house of commons in the room of such members as shall during such recess become peers of Great Britain, as soon as he shall receive notice, by a certificate under the hands of two members of the house of commons, that a writ of summons hath been issued under the great seal of Great Britain to summon the said members to parliament.

III. Provided also, That after the receipt of such certificate, The like nother like notice in the London Gazette shall be given by the speaker, tice to be gives is required in the case of members deceased; and such notice en as of memand warrant shall be subject and liable to the same exceptions bers deceased.

and regulations as are required by the said act and by this present act, in the case of notices to be given, and warrants to be

iffued in the room of members dying during a recess.

IV. And whereas it has appeared to the house of commons, that Speaker not there was the most notorious bribery and corruption at the last election to issue any of members to serve in this present parliament for the borough of warrant, &cc. Shafton otherwise Shaftsbury, in the county of Dorset: and whereas rough of in consequence thereof, and until the house of commons shall have an Shafton. opportunity of making a further enquiry into the persons concerned in the faid bribery and corruption, the house of commons have provided, that no writ do iffue for the electing of a burgess to serve in parliament for the said borough during the present session of parliament; but as it may happen that, during the next recess of parliament, the speaker of the house of commons may, by virtue of the said recited att of the tenth year of his present Majesty, be required to issue his warrant to the clerk of the crown to make out a new writ for the electing of a burgess to serve in parliament for the said borough of Shaftsbu-Ty: and whereas the issuing such writ during the next recess of parliament might tend to defeat those measures which it may be proper to take in consequence of the said notorious bribery and corruption; be it enacted by the authority aforesaid, That the speaker of the house of commons shall not be enabled, by virtue of the said recited act, to issue his warrant to the clerk of the crown to make out a new writ for the faid borough of Shafton otherwise Shaftsbury, in the county of Dorset, during the said next recess of parliament.

#### C A P. XXXVII.

An act to permit the importation of painted earthen ware, (except galley tiles,) the manufacture of Europe, to be fold in Great Britain, and for charging the same with a duty ad valorem.

WHEREAS by an act of parliament, made in the third year Preamble.

of the reign of King Edward the Fourth, (intituled, Certain merchandises not lawful to be brought ready wrought into recited.

this realm; amongst several articles therein mentioned, any manner of painted wares are prohibited to be brought into this realm, to be uttered and sold within the same: and whereas by the additional book of rates, made in the eleventh year of the reign of his late majesty king

George

Anno decimo quinto GEORGII III. C. 37. [1775. 92

recited.

Act 11 Geo. 1. George the First, earthen ware of all forts, (except India or China not to be uttered or fold, and not otherwise rated) the pound weight, broken or whole, is rated at ten-pence, which rate is considerably under the true real value of such earthen ware: and whereas, notwith-Standing the Said recited att, great quantities of earthen ware, made and painted in foreign parts of Europe, have been clandestinely brought and imported into this kingdom, and run on shore and sold bere, and there is great reason to believe that several parcels of such painted earthen ware, which have been entered not to be uttered or fold, and paid the duties imposed thereon by law, according to the rate before mentioned, of ten-pence the pound weight, have nevertheless been afterwards fold and disposed of in this kingdom, to the discouragement of the manufactures of this fort of ware carried on in feveral parts of Great Britain, and to the prejudice of the united company of merchants of England trading to the East Indies, the China earthen ware imported by them being subject to a much higher duty: now, for remedy thereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, After June 20, by and with the advice and consent of the lords spiritual and 1775, any fort temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twentieth day of June, one thousand seven hundred and seventyfive, it shall and may be lawful for any person or persons to rope, may be import into this kingdom any fort of painted earthen ware, being imported into the manufacture of Europe, to be uttered or fold in Great Brithis kingdom, tain, (except galley tiles,) any thing in the before recited act, (except galley made in the third year of the reign of King Edward the Fourth,

the manufacture of Eu-

of earthen

ware, being

tiles.)

Former rate of rod. per lb. to ceate;

and inflead thereof, ail earthen ware, &c. to pay 10l. rem;

to be afcerof the importer, &c.

or any other act to the contrary notwithstanding. II. And be it further enacted by the authority aforesaid, That from and after the said twentieth day of June, the before-mentioned rate of ten-pence the pound weight, for earthen ware of all forts (except India or China not to be uttered or fold, and not otherwise-rated) shall be, and the same is hereby repealed, and the feveral duties payable upon the importation of fuch earthen ware according to that rate, shall cease, determine, and be no longer paid; and in lieu and instead thereof, all earthen ware (except India or China) not otherwise rated, whether painted or not, which, from and after the faid twentieth day of sos, for every June, shall be imported or brought into this kingdom, either for sool. ad valo- private use, or to be uttered or sold in Great Britain, shall be liable to and pay for the old subsidy, granted by the act of tonnoge and poundage, made in the twelfth year of the reign of King Charles the Second, ten pounds ten shillings for every one hundred pounds, according to the true value and price of fuch earthen ware; to be ascertained by the oath or affirmation of tained on eath the importer or proprietor thereof, in the presence of the customer, collector, comptroller, and surveyor of his Majesty's customs at the port of importation, or any two of them; and the feveral further subsidies, additional duties, and all other imposts and duties whatsoever, to which such carthen ware was subject and liable to, at the rate of ten-pence per pound weight,



1775.] Anno decimo quinto GEORGII III. C. 38, 39.

before the making of this act, shall in like manner be paid proportionably according to fuch value and price, and not accord-

ing to any other rate or value.

III. And be it further enacted by the authority aforesaid, Earthen ware That such earthen ware shall be subject and liable to the same subject to the rules, regulations, restrictions, and forfeitures, that other un- same rates, rated goods, undervalued by the importer or proprietor, are fub- &c. as other unrated goods, ject and liable to by law; and the feveral subsidies, impositions, &c. and duties, made payable by this act upon fuch earthen ware, Duties, &c. to shall be raited, levied, collected, recovered, paid, and applied, be collected in such manner and form, and by such ways and means, and and applied as under the like penalties and forfeitures, and with fuch discounts, the former allowances, and drawbacks, as the faid former subsidies and duties; allowances, and drawbacks, as the faid former subsidies and other duties were railed, levied, collected, recovered, paid, and applied, and were subject and liable to; and all the powers, pe- and the pownalties, provisions, articles, and clauses, contained in the several ers of the acts acts of parliament which granted or continued the same respective same contively, shall continue in full force and effect, and shall be applied, tinued in full practifed, and executed, for the raifing, levying, collecting, re-force. covering, paying, and applying the faid respective subsidies, impositions, and other duties, according to the true intent and meaning of this present act, as fully and effectually, to all intents and purposes, as if the said clauses, powers, and provisions, had been repeated and enacted in the body of this present act.

#### C A P. XXXVIII.

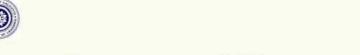
An act for raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand seven hundred and seventy-five.

### C A P. XXXIX.

An act to impower justices of the peace to administer ouths where any penalty is to be levied, or diffress to be made, in pursuance of any act of parliament, wherein the same is not expressly directed.

WHEREAS it is frequently necessary for justices of the peace Preamble, to administer oaths or affirmations, where penalties are to be levied, or distresses to be made, in pursuance of acts of parliament, which they have no power to administer, unless authorised so to da by such acts respectively; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That in all cases where In all cases any penalty is directed to be levied, or diffress to be made, by where penalany act of parliament now in force, or hereafter to be made, it ties, &c. are shall and may be lawful for any justice or justices acting under levied under the authority of such acts respectively, and he and they is and acts, justices are hereby authorifed and impowered to administer an oath or are impowered oaths, affirmation or affirmations, to any perion or persons, for to administer oaths, &c. for the purpose of levying such penalties, or making such distresses levying such respectively. penalties, &c.

CAP.



#### Anno decimo quinto GEORGII III. C. 40. L1775.

#### CAP. XL.

An all for amending and explaining an all, passed in the fourteenth year of his Majefly's reign, intituled, An act to establish a fund towards further defraying the charges of the administration of justice, and support of the civil government within the province of Quebec, in America.

Preamble. Clause in act 14 Geo. 3. recited.

TATHEREAS by an act, passed in the fourteenth year of his Majefly's reign, (intituled, An act to establish a fund towards further defraying the charges of the administration of justice, and support of the civil government within the province of Quebec, in America,) it is, amongst other things, enacted, That if any goods, chargeable with any of the duties in the said all mentioned, shall be brought into the faid province by land carriage, the same shall pass and be carried through the port of Saint John's, near the river Sorrel; or if such goods shall be brought into the said province by any inland navigation, other than upon the river Saint Lawrence, the same shall pass and be carried upon the said river Sorrel by the faid port, and shall be there entered with and the faid respective rates and duties paid for the same, to such officer or officers of his Majesiy's customs as shall be there appointed for that purpose; and if any such goods coming by land carriage or inland navigation as aforesaid, shall pass by or beyond the said place before named without entry or payment of the said rates and duties, or shall be brought into any part of the faid province by or through any other place what soever, the faid goods shall be forfeited; and every person who shall be assisting, or otherwife concerned, in the bringing or removing such goods, or to whose hands the same shall come, knowing that they were brought or removed contrary to this act, shall forfeit treble the value of fuch goods; to le estimated and computed according to the best price that each respective commodity bears in the town of Quebec at the time such offence shail be committed; and all the horses, cattle, boats, veffels, and other carriages what soever, made use of in the removal, carriage, or conveyance of fuch goods, shall be forfeited and lost, and shill and may be seized by any officer of his Majesty's customs, and prosecuted as thereinafter mentioned : and whereas there is rea, on to apprecent, that the regulations and restrictions contained in the said berein-before recited clause, so far as they relate to the bringing of rum, brandy, or other Spirits, into the province of Quebec by land carriage, may, without further explanation, operate to the prejudice and disadvantage of the commerce carried on with the Indians in the upper or interior parts of the said province, we, your Majesty's most dutiful and loyal subjests, the commons of Great Britain, in parliament affembled, do meit His Majefty's humbly beseech your Majesty that it may be enacted; and be it enacted by the king's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for all his Majesty's subjects freely to bring, carry or convey, by land carriage, or inland navigation, into any parts of the province of Quebec,

fubjects may bring, by land or inland navigation, into any parts of Quebec, not heretofore



# Anno decimo quinto GEORGII III. C.41.

Quebec, not heretofore comprehended within the limits thereof comprehended by his Majesty's royal proclamation of the seventh of October, in the royal one thousand seven hundred and fixty-three, any quantity of proclamation rum, brandy, or other spirits, any thing contained in the before- any quantity recited act of parliament to the contrary thereof in any-wife of rum, brannotwithstanding.

dy, &cc.

#### CAP. XLI.

An act for redeeming the sum of one milion of the capital stocks of three pounds per centum annuities, in the manner and on the terms therein mentioned; and for establishing a lottery.

Preamble. Bodies politick, &c. who have fignified their consent to the terms aforesaid to receive from the governor of the bank a certificate of the sums subscribed, &c. Treasury to apply a sum sufficient to discharge one moiety, which subscribers are to receive by July 5, 1775. Remaining moiety to be paid before Oct. 20, 1775. Bank to transmit an exact list of all persons intitled to the 3 per cent. annuities. Persons who have subscribed their names, &c. to have their interest till July 5, 1775. Payment of one quarter's annuity to be ordered by the treasury to be made to July 5. 1775. Annuities payable to stand redeemed; and after July 5, 1775, to cease. Persons forging certificates to be adjudged guilty of felony. Subscribers to receive at the bank of England, tickets in the lottery, in the proportion of fix tickets for every 1001. Cashiers to give securities to the commissioners of the treasury, for paying the monies into the exchequer. Treasury to apply the money to the services voted this fession. 600,000l. to be divided into prizes; and paid into the bank out of the supplies granted this session. Managers and directors of the lottery to be appointed by the treasury. Method of the lottery books. Ticket. Managers to examine the books with the tickets, and deliver them after to the cashiers of the bank, taking a receipt for the same. Cashiers to return the books, with the undisposed tickets, with an account of the monies paid in. Undisposed tickets to be delivered into the exchequer. Tickets of the middle columns to be rolled up, and fastened with thread or filk; and cut off indentwife into a box marked with the letter (A). Box to be locked up, and sealed. Books to be prepared with two columns, on each of which 60,000 tickets are to be printed. The number and value of the fortunate tickets. 1000 l. to each first drawn tickets of the first 3 Days, and 1000l. to the laft drawn. Tickets of the outermost columns of the last-mentioned book to be rolled up and tied. Publick notice to be given of putting the tickets into the boxes. Lottery to begin drawing on 13 Nov. 1774. Method to be observed in drawing, &c. Number of the fortunate tickets, and the sums to be printed. Disputes to be adjusted by the managers. Penalty on forging tickets, &c. Felony. Offenders being out of prison discovering persons guilty, to be free and have 501. reward. Proviso. Managers to be sworn. The oath. Cashier may receive the sums subsc. ibed, before receiving the lottery book, and to give a note for the same; the bearers intitled thereupon to one lottery ticket for every 12 l. 10s. fo paid. Contibutors not making good their payments within the times limited, forfeit their deposits with respect to the lottery; and the tickets for fuch fums to be delivered back into the exchequer. Treasury to pay the managers, and defray the incidental expences. Limitation of the fale of chances, &c. Penalty. Office-keepers &c. felling thares in tickets of which they are not possessed, forfeit 500 l. and 3 months imprisonment. Offences committed in Ireland against acts for preventing unlawful lotteries. made punishable, and the penalties may be sued for in Dublin. The sum of 600,000 l. payable in respect of the fortunate tickets, is charged upon the aids in general granted this fession; and after the drawing is completed, shall be exchanged for certificates. Managers to give notice of the time for taking in the tickets, and delivering out the certificates, &c. Certificates to be numbered. Books to be kept for entering the names of persons bringing tickets to be exchanged, &c. Certificates to be figned,



# Anno decimo quinto GEORGII III. C. 42. [1775.

&c. Treasurer to discharge all incident charges attending the execution of this act. No see to be taken for receiving or paying the contribution-monies, or for issuing receipts of monies, on penalty of 201. General issue. Treble costs.

#### CAP. XLII.

An act for granting to his Majesty a certain sum of money out of the finking sund; and for applying certain monies therein mentioned for the service of the year one thousand seven hundred and seventy-five; and for surther appropriating the supplies granted in this session of parliament.

Preamble. Not exceeding 1,915,552 l. 16s. 11 d. 3q. granted out of the fund, for the service of the current year; to be issed by the treesury accordingly. Treasury impowered to raise the said sum, or any part thereof, by loans or exchequer bills, on the credit of the finking fund. All persons who shall lend any money upon the credit of this act to have a tally of loan, with orders for repayment of the money with interest. ders to be registered in course. No undue preference to be given in payment. No fee to be taken on forfeiture of treble damages, with full cofts. Penalty of undue preference in point of registery or payment. Auditor, &c. neglecting his duty, liable for damages, &c. to be recovered at Westminiter. No undue preference in the registering, where orders are brought the same day; nor it subsequent orders are paid before others not brought in course, so as money be reserved for the preceding orders. Power of affignment, and method of transferring of orders. If it shall be judged more adviseable, the treasury may raise the faid sum by exchequer bills instead of loans; and the bills in such case to be made as those prescribed by the malt act of this session. All advantages and penalties in the malt act of this fession, relating to toans or exchequer bills thereby authorised to be made forth, extended to this act. The faid exchequer bills, interest, and charges, are to be paid out of the finking fund. Bank authorised to lend to his Majesty the sum of 1,915,552 l. 16s. 11 d. 3q. notwithstanding act 5 & 6 Gul. & Mar. The fum of 895,686 l. 13 s. 10 d. 19. furplus of the finking fund in the exchequer on April 5, 1775; and such monies as shall be paid into the exchequer between April 5, 1775, and April 5, 1776, of the produce of the duties on Gum Senega and Gum Arabic; 10,9761. 18s. 2d. remaining in the exchequer of the duties of rice exported, and apples imported, cambricks and fugars, granted by act 6 Geo. 3. and monies paid by counties who have not raised the militia; and of the imprest monies remaining for the disposition of parliament. 15,000l. for fupporting the necessary expences of forces in America, Nova Scotia, Newfoundland, and the ceded islands, out of the monies to be paid into the exchequer on April 5, 1776. Appropriation of the supplies. The monies arifing by the malt tax, land tax, loans, lottery, and 895,6861, 135, 10 d. 1 q. remaining in the exchequer on April 5, 1775, for the disposition of parliament; and fuch monies as shall be paid into the exchequer between April 5, 1775, ane April 5, 1776, of the produce of the duties on Gum Senega and Gum Arabic; and 10,976 l. 18s. 2d. of the monies on rice exported, and duties on apples imported, and on cambricks and fugars. by act 6 Geo. 3. &c. the money paid by counties who have not raised militia; and the imprest monies remaining for the disposition of parliament; and 1,915,5521. 16s. 11d. 3q. by this act granted out of the excesses, &c. composing the finking fund; together with the money arising from the fale of French prizes taken before the declaration of war; and also such sums of money as his Majesty shall direct to be applied to the public service, which shall arise by the sale of the ceded igands in the West Indies. Not exceeding 1,678,0591. 15 s. 10d. to be issued out of the supplies towards naval fervices. Not exceeding 60001, to the royal hospital for feamen at Greenwich, &c. 228,059 l. 15. 7d. charges of the office of ordnance; 32,748 l, 58. 3d. for charges of the office of ordnance not provided for in 1774. Not exceeding 1.582,051 l. 98. 9 d. 3 q. towards the land forces; of which 627,689 l. 19 s. 4 d. for defraying the charges of 17,547 effective



# 1775.] Anno decimo quinto GEORGII III. C.43,44.

men,&c. and 1522 invalids, for guards,&c. in Great Britain, &c. 371,186 1. sod. and r-8th of a penny, for forces and garrifons in Africa; 2.874 1. 4 s. 9 d. to make good the difference of pay between the British and Irish establishment of the troops in the Isle of Man,&c.; 11,473 l. 18 s. 6d. 29. for general and general staff officers in Great Britain. Not exceeding 105,3261. 16 s. 8 d. to the reduced officers of the land forces and marines; 8701. 38. 9d. to the two troops of horse guards reduced, &c. 6281. to the penfions of officers widows, &c. 67,7061. 128. 1d. for the augmentation of the forces; 9,5361. 10s. 7d. to make good the difference between British and Irish pay of certain troops, &c. 122,221 l. 15 s. 5d. to the outpensioners of Chelsea Hospital. Not exceeding 262,537 l. 78. 10d. 1-8th of a penny, towards extraordinary expences of the land forces, and other fervices incurred, and not provided for. 1,250,000 l. for discharging exchequer bills of last fession. 12,578 l. 14 s. 9 d. to make good to his Majesty the like sum issued in pursuance of the addresses of the house of commons. 4,3461. 10s. 5d. for supporting the civil establishment of Nova Not exceeding 3,086 l. for the civil establishment of Georgia; 4,950 l. for the civil establishment of East Florida; 5,450 l. for the civil establishment of West Florida; 1,885 l. 4s. for defraying expences attending surveys in North Amerca. 13,000 l. for repairing and maintaining the forts in Africa; 6,3361. 9 d. 2 q. for supporting the civil establishment of Senegambia. Not exceeding 3000l. to the trustees of the British Museum, &c. 50001. to the governor, &c. of merchants of England trading to the Levant Seas; 6,998, 10s. 7d. on account of the expence of new roads, &c. in the Highlands of Scotland in 1775. 2,1451. to Mr. Mackenzie, for engraving charts of the coafts of Ireland, &c. 3,711 l. 15 s. to Mr. Wallet de Barres for engraving charts of North America, &c. 46,8451. 9s. 3d. to the bank of England for receiving the deficient gold coin; 22,8241. 195. for the extraordinary charge of his Majesty's mint; 5000 l. granted to his Majesty, to assist the inhabitants of Barbadoes, in cleansing the channel, &c. 1,684 l. 15 s. 10 d. to make good the like fum paid for preventing the infectious distemper among the horned cattle; 550 l. to Mr. Richardson, out of the monies raised by the sale of French prizes, for his discovery of the effects of Mr. Manning; 880,000l. granted to his Majesty, to be payable to persons who have subscribed their capital of 3 per cent &c. Not exceeding 45,4461. 8s. 2d. to the finking fund to make good the deficiency on July 5, 1774. 112,528 l. 2 s. 5d. 1 q. to make good the deficienty of grants for the service of 1774 The said aids to be applied only to the uses before mentioned. Rules to be observed in the application of the half pay. By act 14 Geo. 3. a fun not exceeding 107,5251. 19 s. 2d. was appropriated to be paid to the reduced officers. Overplus monies, above satisfying said officers, to be disposed of to officers who were maimed, &c. in the late wars, or to officers widows and children, as his Majesty shall direct.

#### CAP. XLIII.

An act for lighting and watching the hamlet of Highgate, in the county of Middlesex.

### CAP. XLIV.

An act to continue, for a limited time, so much of an act, made in the thirteenth year of the reign of his present Majesty, intituled, An act for granting to his Majesty a sum of money, to be raised by exchequer bills, and to be advanced and applied in the manner and upon the terms therein mentioned, for the relief of the united company of merchants of England trading to the East Indies, as obliges the said company to export annually goods and merchandises of the growth, product, or manusacture of Great Britain to their settlements in the East Indies to a certain value.

98

Preamble.

1775, East India Company to export goods to a certain amount, to the British fettlements in India, yearly, for three years.

Military and naval stores not included.

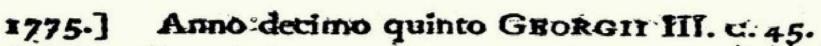
Company to give fecurity, of double the fum mentioned, for the due fuch goods.

to take the fecurity.

given yearly,

Anno decimo quinto GEORGII III. c.44.

HEREAS it is expedient that the provisions in an all, made in the thirteent's year of the reign of his present Majesty, (in-Act 13 Geo. 3. tituled, An act for granting to his Majesty a sum of money, to be raised by exchequer bills, and to be advanced and applied in the manner and upon the terms therein mentioned, for the relief of the united company of merchants of England trading to the East Indies,) by which the said company are required to export annually, during the term of two years, goods and merchandises, of the growth, produce, or manufacture of Great Britain, to the British settlements within the limits prescribed by the said company's charter, for their carrying on an exclusive trade in the East Indies, or elfewhere, to a certain value, should be continued for a further time; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and After Sept.29, by the authority of the same, That during the term of three years, to be computed from the twenty-ninth day of September, one thousand seven hundred and seventy-five, the said united company, or their successors, shall, and are hereby required to export from Great Britain, in each and every year, during such term, to the British settlements within the limits prescribed by the faid company's charter, for their carrying on an exclusive trade in the East Indies, or elsewhere, upon the account of the faid company, or their successors, in their course of trade, exclusive of what may be exported by their tervants or private traders licensed by the said company, or their successors, such goods and merchandises, of the growth, produce, or manutacture of Great Britain, as shail amount in value to the sum of three hundred eighty thousand eight hundred and thirty-seven pounds in each and every fuch year; but the amount of the value of the military and naval stores so exported shall not be esteemed or reckoned as part of the said sum of three hundred eighty thousand eight hundred and thirty-seven pounds per Aunum; and the said company, or their successors, shall, on or before the first day of June, one thousand seven hundred and feventy-fix, and on or before the first day of June, one thousand feven hundred and feventy-feven, and on or before the first day exportation of of fune, one thousand seven hundred and seventy-eight, give fecurity, by bond, to his Majesty, his heirs and successors, under the common seal of the said company, or of their successors, in the penal fum of double the faid fum of three hundred eight thousand eight hundred and thirty-seven pounds, for the due exportation of the faid goods and merchandises annually, to the amount of the faid fum of three hundred eighty thousand eight hundred and thir y-leven pounds, according to the real value of fuch goods and merchandifes in this kingdom at the time of fuch exportation, or of the purchase thereof, by or on the be-Treasurer, &c. half of the said company, or their successors; which security the high treasurer, or the commissioners of his Majesty's treasury for the time being, or any three or more of fuch commillioners, Account to be is or are hereby authorited to take; and the faid company, or



their fuccessors, shall, on or before the thirty-first day of Officer, figured by two one thousand seven hundred and seventy-fix, and on or before directors, of the thirty-first day of October, one thousand seven hundred and the goods exfeventy-seven, and on or before the thirty-first day of October, ported, &c. one thousand feven hundred and seventy-eight, deliver to the faid high treasurer or commissioners, an account in writing, figned by two or more of the directors of the faid company for the time being, specifying the particular goods and merchandifes which shall have been so exported in every such year, in pursuance of and according to the true intent and meaning of this act, with the faid true and real values of such goods and merchandises, with the names of the ships in which the same were respectively so exported; and which account shall be ve- to be verified. rified on oath, made before any one justice of the peace, (which upon oath. oath fuch justice is hereby authorised and required to administer,) by the proper officers or servants of the faid company, or their fuccesfors, who shall keep their books for the entry of goods outwards, to the best of their knowledge: and if it shall appear Bonds to be to the fatisfaction of the faid high treasurer or commissioners, delivered exthat goods and merchandises shall have been agreeably to the if duly perdirections of this act exported as aforesaid in the respective year, formed; in relation whereto each bond shall have been so given; then, in each and every such case, the said high treasurer or commisfioners shall cause such bond to be delivered up; but in case no fuch account shall be delivered, as herein-before mentioned, or but if otherif it shall appear that the said goods and merchandises exported wife, such within the term mentioned in any fuch bond shall not have bonds to be amounted to such value as aforesaid, or that any such account profecuted. shall appear not to be truly made, it shall and may be lawful for the faid high treasurer or commissioners to cause each and every such bond to be prosecuted according to law, unless he or they shall find sufficient cause to forbear the same.

II. Provided always, and be it enacted by the authority afore- Goods exportfaid, That in case the said company, or their successors, shall ed in one in any one of the faid three years export, or cause to be export- year above ed, such goods and merchandises, of the growth, produce, or mentioned, to manufacture of Great Britain, exceeding in value the sum of be allowed in three hundred eighty thousand eight hundred and thirty-seven the succeeding pounds; then, and in such case, the said excess shall from time year. to time be taken into the account of the exports of fuch goods and merchandises by the said company, or their successors, in and for the next succeeding year, and shall be allowed and con-

fidered as part thereof.

CAP. XLV.

An all for allowing the cloathing and accourrements necessary for bis Majeffy's forces, paid out of his Majefty's revenues arifing in the kingdom of Ireland, to be exported from thence to the places where fuch forces are ordered to serve, and for granting a bounty upon flax and imported into Ireland for a limited time.

THEREAS a part of his Majefly's forces, which are paid Preamble. out of his Majesty's revenues arising in the kingdom of Ire-

Anno decimo quinto Georgii III. c. 45.

land, (the difference between British and Irish pay only excepted,) do now serve, and may hereafter be ordered to serve, out of the said kingdom; and it is highly reasonable and fit that the cloathing and accoutrements necessary for such forces should be allowed to be exported from Ireland to the place where they shall so ferve; may it therefore please your Majesty that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the After Aug. 1. same, That from and after the first day of August, one thousand 1775, inhabi- seven hundred and seventy-five, it shall and may be lawful for any person or persons inhabiting in the said kingdom of Ireland, to export directly from thence any cloathing or other accountreing, &c. from ments, being the produce and manufacture of Great Britain or thence, for the Ireland, for the use of the said troops or forces, (paid in manner before mentioned,) to any British colony or plantation in Ameabroad on Irish rica, or to any of his Majesty's forts or garrisons, or to any foreign country, upon his Majesty's service, any law or usage to

British or Irish the contrary notwithstanding.

Masters of thips to produce certificates to the proper officers, that the shipper had fuch cloathing, &cc.

tants of Ire-

port cloath-

land may ex-

use of his Ma-

iefty's troops

pay, being

manutacture.

II. Provided always, and it is hereby further enacted by the authority aforesaid, That the master, or other person taking charge of the ship or vessel, shall produce to the collector or proper officer of the customs at the port where such cloathing and accoutrements shall be shipped, or intended to be shipped, for exportation, and also to the collector or proper officer of the customs in the colony or plantation where he shall arrive, a duly exported certificate, under the hand and feal of the chief governor in Ireland, (which certificate such governor is hereby required to grant without fee or reward,) that oath had been made by the shipper of fuch cloathing or accoutrements, before one of his Majesty's justices of the peace for the province from whence such cloathing and accoutrements shall be exported, that such articles (expressing the number, quantity, and species, of the same) are of the product and manufacture of Great Britain or Ireland; and that it has been made appear to his satisfaction, by a certificate from the agent to the regiment, or person properly authorised to provide the same, that such articles are really and bona fide designed for the use of his Majesty's troops and forces, paid in manner before mentioned, and then employed in fuch colony or plantation, or in such forts, garrisons, or foreign country, as aforesaid, in his Majesty's service; and on failure of producing such certificate from such chief governor, such cloathing or other accourrements found on board any such thip or vetfel, and the veffel importing the same, shall be liable to be feized and forfeited in the same manner as they would have been subject and liable if this act had not been made, any thing herein-before contained to the contrary notwithstanding.

fuch certificate, the veffel to be forfeited, &c.

On failure of

III. And whereas by virtue of an act of parliament made in Ireland. the third year of his Majelly's reign, a premium or bounty of five Billings per hoghead is now allowed and paid out of the revenue of that kingdom, upon the importation of flax jeed, which bounty is not



# 1775.] Anno decimo quinto GEORGII III. C. 45.

at this time sufficient to answer the good purposes intended thereby; and it is expedient that some further encouragement should be given, After Jan. 1, for a limited time, to induce the importation of flux seed into Ireland, ditional in order to promote and encourage the linen manufactures of that bounty of 58 kingdom; be it therefore enacted by the authority aforesaid, fer hoghead, That from and after the first day of January, one thousand seven for 2 Years, hundred and seventy-six, for and during the space of two sent bounty, years, and from thence to the end of the then next session of to be allowed parliament, a further bounty of five shillings per hogshead shall on flax seed be allowed for all flax feed imported into the kingdom of Ire-imported into land; and it shall and may be lawful for the commissioners of Ireland. his Majesty's customs in Englind, or any four or more of them, Receiver geto order the faid bounty hereby granted to be paid by the re- neral of the ceiver general of the customs, out of any money in his hands customs in arising by any of the duties or revenues under their manage- England to ment, to the importer or importers of such flax seed, or to his bounty to imor their assigns duly authorised to receive the same, upon his or porters, their producing a certificate, under the hand and seal of office of the collector and comptroller of the customs at the port in Ire- on their proland where such flax seed was imported and landed, certifying tificate from the number of hogsheads so landed, with the name of the ship the collector, and master in which, and the place from whence, and by whom, &c. where and at what time, the same was imported; and that the bounty such flax seed was imported. granted by the before-mentioned act of parliament, made in Ireland, had been paid and allowed for the same.

IV. And it is hereby further enacted by the authority aforefaid, That if the agent of any regiment, or person authorised to If any agent provide the before-mentioned cloathing and accoutrements, or of a regiment, any officer of the customs, shall give or grant any false certifi- false certificate for any of the purposes required or directed by this act, such cate, person or persons shall forfeit the sum of five hundred pounds, and be rendered incapable of serving his Majesty, his heirs or successors, in any office whatsoever; and if any person or persons or erase or shall counterfeit, erase, alter, or falsify, any certificate required counterfeit or directed by this act, or thall knowingly or willingly make fuch person ule of any false certificate, or of any certificate so counterfeited, shall forteit erased, altered, or falsified, such person or persons shall, for every 5001. such offence, forfeit the sum of five hundred pounds; and every How forfeisuch certificate shall be invalid and of no effect; one moiety of tures are to be which penalty shall be to the use of his Majesty, his heirs and applied, and fuccessors, and the other moiety to such officer or officers of the where to be customs as shall the or prosecute for the same, in any of his Macultoms as thall tue or profecute for the same, in any of his Majesty's courts of record at Westminster or Dublin, or in any court or admiralty, having jurisdiction in his Majesty's colonies or islands respectively where the offence thall be committed.



### CAP. XLVI.

An all for amending and rendering more effectual an all, passed in the eleventh year of his present Majesty's reign, intituled, An act for regulating and improving the fisheries in the river Tweed, and the rivers and streams running into the same, and also within the mouth or entrance of the faid river.

#### Preamble. Act 11 Geo. 1.

X7 HEREAS in and by an act, made in the eleventh year of the reign of his present Majesty, intituled, An act for regulating and improving the fisheries in the river Tweed, and the rivers and streams running into the same, and also within the mouth or entrance of the said river, certain provisions and regulations were established for the preservation and improvement of the fisheries in the said river Tweed: and whereas the said provisions and regulations have proved very beneficial to the owners and proprietors of fisheries in the said river, and the rivers and streams running into the same, and have greatly contributed to the preservation of the fish therein: but whereas several inconveniencies and defects have occurred in the execution of the said ast; for remedy whereof, and in order to amend and render the said act more effectual, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, After May 12, That from and after the twelfth day of May, one thousand seven hundred and seventy-five, if any person or persons shall fish for any salmon, gilse, salmon trout, or whitling, in the said river Tweed, or in any river, rivuler, brook, or stream, or in any mill pool, mill lead, fluice, or cut, which communicates with the faid river Tweed, at any time or times between the tenth day of October and the tenth day of January in any year, or between ten of the clock on Saturday night and two of the clock on Monday not exceeding morning; or shall, at any time or times after the faid twelfth day of May, fish for any salmon, gilse, salmon trout, or whitling, within the mouth or entrance of the faid river Tweed; ners, &c. to be every fuch person or persons so fishing shall, for every such offence, forfeit any sum not exceeding the sum of ten pounds, nor less than forty shillings, at the discretion of the justice or sheriff-depute by whom such offender or offenders thall be convicted, together with the boats, tackle, nets, engines, and all other devices made use of in fishing for any such fish; and all fuch boats, tackle, nets, engines, and other devices, so forfeited, shall be cut to pieces, burnt, or otherwise destroyed, by the direction of the justice or sheriff-depute by whom such offender or offenders shall be convicted.

3775 perions fishing talmon, &c. within the river Tweed, &c. between Oct 10, and Jan. 10, fhall forteit, for each offence, tol. nor less than 40 s. and the boats, destroyed.

Nets or enthe river, &c. to be destroyed.

II. And be it further enacted by the authority aforesaid, That gines found in if any ring net, bob net, or any other engine or device whatfoever, shall be placed in the said river Tweed, or in any river, rivulet, brook, or stream, or in any mill pool, mill lead, sluice, or cut, which communicates with the faid river Tweed, at any time



# 1775.] Anno decimo quinto GEORGII III. C.46.

or times between the said tenth day of Oslober and the tenth day of January in any year, (the placer or fetter of which ring net, bob net, or other engine or device, is unknown and cannot be found,) it shall and may be lawful to and for any person or perfons to seize the same, and with all convenient speed to carry the same before any justice of the peace, or sheriff-depute, for the liberty or place where the faid net, engine, or other device, shall have been found standing; and if, upon due proof made thereof, the said net or nets, engine, or other device, shall be found by the said justice or sheriff-depute to have been placed in the faid river Tweed, or in any river, rivulet, brook, or stream, or in any mill pool, mill lead, fluice or cut, which communicates with the faid river Tweed, contrary to the intent and meaning of the faid former and this present act, it shall and may be lawful to and for the said justice or sheriff-depute to cause the same in his presence to be cut to pieces, burnt, or otherwise destroyed.

III. And be it further enacted, That from and after the said Persons in twelfth day of May, if any person or persons shall have in his, whose cuttody her, or their custody or possession, any salmon, gilse, salmon any salmon, trout, or whitling, at any time or times, between the tenth day be found durof October and the tenth day of January, in any year, the proof ing the time that fuch salmon, gilse, salmon trout, or whitling, was not taken or aforesaid, to killed within the said river Tweed, or in any river, rivulet, brook, prove that the or stream, or in any mill pool, mill lead, sluice, or cut, which taken in the communicates with the faid river Tweed, between the faid tenth Tweed; day of October and the tenth day of January, shall lie upon the person or persons in whose custody or possession any such salmon, gilse, salmon trout, or whitling, shall be found, between the said tenth day of Ostober and the tenth day of January, or otherwise otherwise such fuch falmon, gille, salmon trout, or whitling, shall be deemed, fish shall be within the meaning of the said former act, to have been taken have been or killed in the faid river Tweed, or in some river, rivulet, brook, taken in the or stream, or in some mill pool, mill lead, sluice or cut, which said river; and communicates with the said river Tweed; and the person or per- the persons be sons in whose custody or possession such fish shall be so found, penalties by within the time aforesaid, shall forfeit and pay, and be liable to the former act. the same penalty or penalties which he or they would have forfeited and paid, and would have been liable to by virtue of the said former act, in case he or they had taken or killed such fish in the said river Tweed, or in some river, rivulet, brook, or stream, or in some mill pool, mill lead, sluice or cut, which communicates with the said river Tweed, between the said tenth day of October and the tenth day of January.

IV. And be it further enacted, That all justices of the peace Justices, &c. within that part of Great Britain called England, the town of may act as Berwick upon Tweed, or the bounds and liberties thereof, and all fuch, notwithjustices of the peace, or sheriffs-depute, within that part of Great standing their Britain called Scotland, shall and may act as justices of the peace, ed in the fishor sheriffs-depute respectively, in the execution of the said for- eries. mer or this present act, for the county, shire, liberty, or place, where any offender or offenders against the said former or this

H 4

104

Anno decimo quinto Georgii III. C. 46. [1775.

present act shall be or reside, notwithstanding such justices or sheriffs-depute are interested in the fisheries of the said river Tweed.

Convictions of offenders to the justices to the next quarter fessions.

V. And be it further enacted by the authority aforesaid, That the conviction and convictions, adjudication and adjudications, be certified by of all and every offender or offenders against this act, within that part of Great Britain called England, the town of Berwick upon Tweed, or the bounds and liberties thereof, shall be certified by the justice or justices of the peace, by or before whom the same shall be made, to the next general quarter sessions of the peace to be held for the county or place where the offender shall be convicted, and thall be filed amongst the records of the said festions; and such conviction and adjudication shall be in the following form of words, or to the like effect, (that is to fay:)

Form of con- To wit, B viction.

E it remembered, That on the in the year

day of

A. B. was, upon the complaint of C. D. convicted before me, [or us, specifying the offence,] in pursuance of an act, passed in the fifteenth year of the reign of his majesty King George the Third, For amending and rendering more effectual an act, passed in the eleventh year of his present Majesty's reign, intituled, An act for regulating and improving the fisheries in the river Tweed, and the rivers and streams running into the same, and also within the mouth or entrance of the faid river: and he is hereby adjudged to have forfeited for the said offence the sum of

Given under my [or our] hand and seal [or bands and feals, as the case shall happen, ] the day and year above zuritten.

Convictions to be valid, and not removeable by Certiorari.

Penalties and tor feitures how to be recovered.

Powers, &c. act extended to this act.

Which said conviction and adjudication shall be good and valid in the law to all intents and purposes, and shall not be quashed, fet aside, or judged void or insufficient, for want of form only; and shall not be liable to be removed by Certiorari into his Majesty's court of King's Bench, but shall be deemed and taken to be final to all intents and purposes whatsoever.

VI. And be it further enacted, That all the penalties and forfeitures imposed by this act shall and may be recovered and levied in the same manner, before the same justices or sheriffsdepute respectively, and within the said time, and with the same power of appeal, as any penalties or forfeitures imposed by the faid former act can or may be recovered or levied by virtue thereof; and that all the clauses, powers, and authorities, contained of the former in the faid former act, shall be deemed and taken to extend and shall extend to this act, as fully and effectually as if the same were herein again repeated and re-enacted; and that nothing in this act contained shall extend, or be construed to extend, to set aside or repeal any penalties imposed by the said former act, for offences committed against the said former act.

VII. And



# Anno decimo quinto Georgii III. c. 46.

VII. And be it further enacted, That no action at law shall Limitation of be brought or commenced against any person or persons, for any actions. thing done or to be done by virtue of this act, within that part of Great Britain called England, the town of Berwick upon Tweed, or the bounds and liberties thereof, until after fourteen days notice thereof in writing shall be given to the person or persons against whom such action shall be intended to be so brought, or left at his or their last or usual place of abode, setting forth the cause of fuch action; and that every action brought for any thing done, or to be done, as aforesaid, shall be brought within the space of six calendar months next after the cause of complaint shall arise, and shall be laid and tried in the county or place where the fact was committed, and not elsewhere: and the defendant or defendants therein may plead the general issue, and give this act, General issue. and the special matter in evidence, at any trial to be had thereupon, and that the same was done by virtue hereof; and if on the trial of such action it shall appear that the same was brought before the expiration of fourteen days next after fuch notice shall have been so given or left as aforesaid, or after the end of fix calendar months next after the cause thereof shall have arisen; or if fuch action shall be brought or laid in any other county or place than as aforefaid, or after sufficient tender of amends shall have been made to the party or parties aggrieved; that then, and in any of the cases aforesaid, the jury shall find for the defendant or defendants therein: and in all cases where any verdict thall be found for any defendant or defendants in such action: or if the plaintiff or plaintiffs shall discontinue the same, after the defendant or defendants shall have appeared, or shall be nonfuited; or if upon demurrer judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants in such action shall have treble costs, and have the like remedies for recovering Treble costs. the same, as defendants have for recovering their costs in other cases by law.

VIII. And be it also enacted by the authority aforesaid, That Limitation of no action shall be brought against any person or persons, for any actions in thing done or to be done by virtue of this act, or by virtue of Scotland. the faid former act, made in the eleventh year of the reign of his present Majesty, within that part of Great Britain called Scotland, unless such action shall be commenced within the space of fix calendar months next after the cause of complaint shall arise; and in all such actions the defendant or defendants, # absolved or affoilzed from the action, shall have and be intitled to their full costs of suit.

IX. And be it further enacted, That this act shall be deemed Publick act. and taken to be a publick act; and shall be judicially taken notice of as such, by all judges, justices, and other persons whomsoever, without specially pleading the same.

106

Anno decimo quinto Georgii III. c. 47-50. [1775.

#### C A P. XLVII.

An act for enabling his Majesty to license a playbouse in the town of Manchester, in the county palatine of Lancaster.

Preamble.

Claufe in act 10 Geo. 2. repealed, with respect to Manchester.

His Majesty, &c. may grant letters patent Manchester.

WHEREAS it may be proper that a playhouse should be licensed in the town of Manchester, in the county palatine of Lancaster; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of an act of parliament, which passed in the tenth year of his late Majesty's reign, (intituled, An act to explain and amend so much of an act, made in the twelfth year of the reign of Queen Anne, intituled, An act for reducing the laws relating to rogues, vagabonds, sturdy beggars, and vagrants, into one act of parliament; and for the more effectual punishing such rogues, vagabonds, sturdy beggars, and vagrants, and sending them whither they ought to be sent;) as discharges all persons from representing any entertainment of the stage whatever, in virtue of letters patent from his Majesty, or by licence from the lord chamberlain of his Majesty's household for the time being, except within the liberties of Westminfter, or where his Majesty is residing for the time being, be, and the same is hereby repealed with respect to the said town of Manchester: and that it shall and may be lawful for his Majesty. his heirs and successors, to grant letters patent for establishing a forestablishing theatre or playhouse within the said town of Manchester; which a playhouse in theatre or playhouse shall be intitled to all the privileges, and subjected to all the regulations, to which any theatre or playhouse in Great Britain is intitled and subjected,

#### C A P. XLVIII.

An act to continue the term of an act, made in the twenty-second year of the reign of his late majesty King George the Second, For laying a duty of two pennies Scots upon every Scots pint of beer and ale which shall be fold or wended, brewed, brought in, or tapped, for Sale, within the town of Anttruther Easter, and liberties thereof. - Further continued for twenty-five years.

#### CAP. XLIX.

An act for taking down the church of All Saints, in the town of Fulbourne, and county of Cambridge; and for the better repairing, and keeping in repair, the church of Saint Vigors in the faid town.

#### CAP. L.

An act to enable the inhabitants of the parish of Saint Paul Covent Garden, in the county of Middlefex, to purchase or hire a convenient piece of ground, fo the purpose of erecting a workhouse thereon for the reception and employment of the poor of the faid parish; and for providing an additional burial ground for the use of the said parish.



# 1775.] Anno decimo quinto Georgii III. C.51.

#### CAP. LI.

An act to restrain the negotiation of promissory notes and inland bills of exchange under a limited sum, within that part of Great Britain called England.

THEREAS various notes, bills of exchange, and draughts for Preamble. money for very small sums, have for some time past been circulated or negotiated in lieu of cash within that part of Great Britain called England, to the great prejudice of trade and publick credit; and many of such bills and draughts being payable under certain terms and restrictions, which the poorer fort of manufacturers, artificers, labourers, and others, cannot comply with otherwise than by being subjest to great extortion and abuse; be it therefore enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all promissory or other notes, bills of exchange, or draughts, After June 24, or undertakings, in writing, being negotiable or transferrable, 1775, all profor the payment of any sum or sums of money less than the sum missory notes, of twenty shillings in the whole, which shall be made or issued than 20s. to be at any time from and after the twenty fourth day of June, one of no effect. thousand seven hundred and seventy-rive, shall be, and the same are hereby declared to be, absolutely void and of no effect, any law, statute, usage, or custom, to the contrary thereof in anywife notwithstanding.

II. And be it further enacted by the authority aforesaid, That Persons utterif any person or persons shall at any time or times, from and af- ing such notes ter the twenty-fourth day of June, one thousand seven hundred or bills for less and seventy-five, by any art, device, or means what loever, pub- than 20s. &c. lish or utter any such notes, bills, draughts, or engagements, as exceeding 201. aforesaid, for a less sum than twenty shillings, or on which less nor less than than the fum of twenty thillings shall be due, and which shall be 51. in any-wife negotiable, or shall negotiate the same; every such person shall forfeit and pay, for every such offence, any sum not exceeding twenty pounds, nor less than five pounds.

III. And be it further enacted, That the justice or justices before whom any offender shall be convicted as aforefaid, shall cause the said conviction to be made out in the manner and form fol-

lowing; (that is to fay,)

DE it remembered, That on the in the year of our Lord

day of

Form of conviction.

A. B. having appeared before me, or us, one or more of his Maiefly's justices of the peace, (as the cale may be,) for the courty, riding, district, division, city, borough, or town, (as the case may he,) and due proof having been made, upon oath, by one or more credible witness or witnesses, or by confession of the party, (as the case may be,) is convicted of

(specifying the offence.)



### Anno decime quinto GRORGII III. C. 51. [1775 Given under my band and seal, (or our bands and seals) the day and year aforesaid.

the next generai quarter sessions.

Conviction to Which conviction the faid justice or justices shall cause to be be returned to fairly written over upon parchment, and returned to the then next general quarter sessions of the peace of the county, riding; district, division, city, borough, or town, where such conviction was made, to be filed by the clerk of the peace, to remain and be kept among the records of fuch county, riding, district, division, city, borough, or town.

Clerks of the peace to give victions on payment of 18.

IV. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful for any clerk of the peace for any county, riding, district, division, city, borough, copies of con- or town, and he is hereby required, upon application made to him by any person or persons for that purpose, to cause a copy or copies of any conviction or convictions, filed by him under the directions of this act, to be forthwith delivered to fuch person or persons, upon payment of one shilling for every such copy.

Persons convicted forthwith to pay the penalties.

How they are

to be applied. In case of refufal to pay, may be levied by diffress.

V. And be it further enacted by the authority aforesaid, That the pecuniary penalties and forfeitures, hereby incurred and made payable upon any conviction against this act, shall be forthwith paid by the person convicted, as follows, one moiety of the forfeiture to the informer, and the other moiety to the poor of the parish or place where the offence shall be committed: and in case such person shall refuse or neglect to pay the same, or to give sufficient security to the satisfaction of such justice or justices, such justice or justices shall, by warrant under his or their hand and feal, or hands and feals, cause the same to be levied by distress and sale of the offender's goods and chattels, together with all costs and charges attending such distress and sale, returning the overplus (if any) to the owner; and which faid warrant of diffress the said justice or justices shall cause to be made out in the manner and form following; (that is to fay,)

To the constable, headborough, or tithingman of

Form of the warrant of di-Arcis.

THEREAS A. B. of in the county of is this day convicted before me, or us, one or more of his Majesty's justices of the peace (as the case may be) for the county of or for the riding of the county of York, or for the town, liberty, or district of (as the case may be) upon the oath of a credible witness or witnesses, or by confession of the party, (as the case may be) for that the said A. B. bath (here let forth the offence) contrary to the statute in that case made and provided, by reason whereof the said A. B. bath forfeited the fum of to be distributed as berein is mentioned, which be bath refused to pay; These are therefore, in his Majesty's name, to command you to levy the faid fum of by diffress of the goods and chattels of bim the said A. B. and if within the space of five days next after such distress by you taken, the faid sum, together



# 1775.] Anno decimo quinto Georgii III. c. 51.

together with the reasonable charges of taking the same, shall not be paid, that then you do sell the said goods and chattels so by you distrained, and out of the money arising by such sale, that you do pay one half of the said sum of

who informed me, or us, (as the case shall be) of the said offence, and the other half of the said sum of to the overfeer of the poor of the parish,

township, or place, where the offence was committed, to be employed for the benefit of such poor, returning the overplus (if any) upon demand to the faid A. B. the reasonable charges of taking, keeping, and selling the said distress being first deducted; and if sufficient distress cannot be found of the goods and chattels of the said A. B. whereon to levy the faid fum of that then you certify the same to me, or us, (as the case shall be) together with this warrant.

Given under my hand and seal, (or our bands and seals,) the day of in the year of our Lord

VI. And it is hereby further enacted, That it shall and may Offender may be lawful for such justice or justices to order such offender to be be detained in detained in safe custody, until return may conveniently be had and made to such warrant of distress, unless the party so con- sufficient secuvicted shall give sufficient security, to the satisfaction of such ju- rity for his apstice or justices, for his appearance before the said justice or ju- pearance bestices, on such days as shall be appointed by the said justice or fore the justice. justices for the day of the return of the said warrant of distress, (fuch day not exceeding five days from the taking of fuch fecurity); which security the said justice or justices is and are hereby impowered to take by way of recognizance, or otherwise.

VII. And be it further enacted by the authority aforesaid, If no distress That if upon such return no sufficient distress can be had, can be had, then, and in such case, the said justice or justices shall and may offenders to be commit such offender to the common gaol, or house of correction, of the county, riding, division, or place, where the offence shall be committed, for the space of three calendar months, unless the money forseited shall be sooner paid; or until such offender, thinking him or herself aggrieved by such conviction, shall or until nogive notice to the informer, that he or she intends to appeal to tice be given the justices of the peace at the next general quarter session of the tion to appeal, peace, to be holden for the county, riding, or place, wherein the &c. offence shall be committed, and shall enter into recognizance betore some justice or justices, with two sufficient sureties, conditioned to try such appeal, and to abide the order of, and pay such costs as shall be awarded by the justices at such quarter sessions, (which notice of appeal being not less than four days before the trial thereof, such person so aggrieved is hereby impowered to give;) and the faid justices at such session, upon due proof of Justices on fuch notice being given as aforefaid, and of the entering into Proof of nofuch recognizance, shall hear and finally determine the causes tice given, to and matters of such appeal in a summary way, and award such summary way,

cultody, &c. unless he give

# Anno decimo quinto Georgii III. c. 51.

and their debe final.

costs to the parties appealing or appealed against as they the said termination to justices shall think proper, and the determination of such quarter fession shall be final, binding, and conclusive, to all intents and purpofes.

Notes, bills of exchange, &c. iffued before June 24, 1775, for less than 20s. to be payable on demand.

VIII. And be it further enacted by the authority aforesaid, That from and immediately after the passing of this act, all and every fuch notes, bills of exchange, draughts, or undertakings, in writing, for the payment of any fum or fums of money less than the fum of twenty shillings, and being negotiable or transferrable, as shall have issued previous to the said twenty-fourth day of June, shall be, and they are hereby declared and adjudged to be, payable upon demand; any terms, restrictions, or conditions therein contained to the contrary thereof not with standing.

If persons refule payment of fuch bills, &c. for 3 days,

IX. And be it further enacted by the authority aforesaid, That if any person liable to the payment of any of such notes, bills of exchange, draughts, or undertakings, in writing, as last aforefaid, shall neglect or fail to make full payment in money of the fum or fums for which fuch notes, bills of exchange, draughts,

justices, on complaint of the holders, may fummon them,

or undertakings, in writing, shall be respectively given or issued. or so much thereof as shall be or remain due thereon respectively, by the space of three days after demand thereof made by the holder or holders of fuch notes, bills of exchange, draughts, or undertakings, in writing, it shall and may be lawful for any one or more of his Majesty's justices of the peace for the county, riding, city, division, or place, where the person or persons respectively so refusing to pay any of such notes, bills of exchange,

and on their appearance or default, &c. tha | proceed to determine and award payment, and ively liable to the payment of every such note, bill of exchange, fuch cotts, as to fuch jultices mall feem meet.

may happen to be or reside, and such justice or justices is or are hereby required, upon complaint made by the holder or holders thereof, to summon the person or persons against whom such complaint shall be made; and after his, her, or their appearance, or in default thereof, upon due proof upon oath, (and which oath such justice or justices is or are hereby impowered to administer) of fuch summons or warning having been given, such justice or the complaint, justices shall proceed to hear and determine the said complaint,

and award such sum to be paid by the person or persons respect-

draughts, or undertakings, in writing, as last aforesaid, shall or

On refulal to pay, fum and coffs to be levied by di-Arefs.

draught, or undertaking, in writing, to the holders or holders thereof, as shall appear to such justice or justices to be due thereon, together with such a sum for costs, not exceeding the sum of twenty shillings, as to such justice or justices shall seem meet: and if any person or persons shall refuse or neglect to pay or satisfy such sum of money, as upon such complaint as aforesaid shall be adjudged, upon the same being demanded, such justice

or justices shall, by warrant under his or their hand and seal or hands and seals, cause the same to be levied by distress and sale of the goods of the party to neglecting or refuting as aforefaid, together with all costs and charges attending such distress and fale, returning the overplus, if any, to the owner.

No proceedings for enforcing pay-

X. Provided always, That no proceedings to be had touching the conviction or convictions of any offender or offenders

against



#### Anno decimo quinto GEORGII III. C. 51. 1775.]

against this act, or for enforcing payment of such notes, bills of ment, &c. to exchange, draughts, or undertakings, in writing, as aforesaid, as be quashed for have issued previous to the passing of this act, with costs as &c. aforesaid, shall be quashed for want of form, or be removed by writ of Certiorari, or any other writ or process whatsoever, into any of his Majesty's courts of record at Westminster.

XI. Provided also, That no person shall be proceeded against No person to for any of the offences against this act as aforesaid, unless infor- be proceeded mation shall be made thereof upon oath before some justice of against unless the peace for the county, riding, division, or place, wherein such made on oath offence shall be committed, within twenty days after such of- before a ju-

fence shall be committed.

XII. And be it further enacted, That if any action or fuit Limitation of shall be commenced against any person or persons for any thing actions. done or acted in pursuance of this act, then, and in every such case, such action or suit shall be commenced or prosecuted within three calendar months after the fact committed, and not afterwards; and the same, and every such action or suit, shall be brought within the county where the fact was committed, and not elsewhere; and the defendant or defendants, in every such action or fuit, shall and may plead the general issue, and give this General issue. act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act: and if the same shall appear to have been so done, or if any such action or suit shall be brought after the time limited for bringing the same, or be brought or laid in any other place than as aforementioned, then the jury shall find for the defendant or defendants; or if the plaintiff or plaintiffs shall become nonsuit, or discontinue his, her, or their action, after the defendant or defendants shall have appeared; or if upon demurrer judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, Treble costs. and have the like remedy for the recovery thereof as any defendant or defendants hath or have in any other cases by law.

XIII. And be it further enacted, That this act shall continue Continuance in force only for the term of five years, and from thence to the of this act.

end of the then next session of parliament.

XIV. And be it further enacted, That this act shall be taken Publick act. and allowed to be a publick act in all courts within this kingdom; and all judges and justices of the peace are hereby required to take notice thereof as fuch, without specially pleading the fame.

CAP. LII.

An act for enlarging the term of letters patent, granted by his present Majesty to William Cookworthy of Plymouth, chymid, for the Sole use and exercise of a discovery of certain materials for making porcelain, in order to enable Richard Champion of Bristol, merchant, (to whom the said letters patent have been affigued) to carry the faid discovery into effectual execution for the benefit of the publick.



#### II2 Preamble.

Anno decimo quinto GEORGII III. C.52: [1775. WHEREAS his present majesty King George the Third hath been graciously pleased to grant his royal letters patent, under the great seal of Great Britain, to William Cookworthy, chymist, in the words or to the effect following; that is to say,

His Majesty's royal letters patent to William Cookworthy, chymist, recited.

TEORGE the Third, by the grace of God, of Great Bri-T tain, France, and Ireland, King, defender of the faith, and so forth; To all to whom these presents shall come, greeting: Whereas William Coskworthy, of Plymouth, in our county of Devon, chymist, has, by his petition, humbly represented unto us, that he hath, by a feries of experiments, discovered, that materials, of the same nature with those of which the Afiatic porcelain is made, are to be found in immense quantities in our island of Great Britain, which ingredients are distinguished in our two counties of Devon and Cornwall by the name of Moorftone and Growan and Growin Clay; that the ware which he hath prepared from these materials hath all the characters of the true porcelain, in regard to grain, transparency, colour, and infusibility, in a degree equal to the best Chinese or Dresten ware, whereas all the manufactures of porcelain hitherto carried on in Great Britain have been only imitations of the genuine kind, wanting the beauty of colour, the smoothness and lustre of grain, and the great characteristick of genuine porcelain, sustaining the most extream degree of fire without melting: That this discovery hath been attended with great labour and expence, and, to the best of his knowledge and belief, in regard to this kingdom, is new, and his own, the materials being, even at this time, applied to none of the uses of pottery, but by him, and those under his direction; and that he verily believes this invention will be of great advantage to the publick: he, therefore most humbly prayed us, that we would be pleased to grant him our royal letters patent for the fole making and vending this new-invented porcelain, composed of moorstone or growan and growan clay, within that part of our kingdom of Great Britain called England, our dominion of Wales, and the town of Berwick upon Tweed, for the space of fourteen years, according to the statute in that case made and provided: We, being willing to give encouragement to all arts and inventions which may be for the publick good, are gracioully pleased to condescend to the petitioner's request: Know ye therefore, that we, of our especial grace, certain knowledge, and meer motion, have given and granted, and by these presents, for us, our heirs and successors, do give and grant unto the faid Il illiam Cooktoorthy, his executors, administrators, and atligns, our special licence, full power, sole privilege and authority, that he, the faid William Cookworthy, his executors, administrators, and affigns, and every of them, by himself and themselves, or by his and their deputy or deputies, fervants or agents, or fuch others as he the faid Il Illiam Czekwerthy, his executors, administrators, or assigns, shall at any time agree with, and no others, from time to time, and at all times hereafter, during the term of years herein expressed, thall and lawfully may make, use, exercile,



# 1775.] Anno decimo quinto GEORGII III. C. 52.

ercise, and vend, his said invention, within that part of our kingdom of Great Britain called England, our dominion of Wales, and town of Berwick upon Tweed, in such manner as to him, the said William Cookworthy, his executors, administrators, and assign, or any of them, shall, in their discretions, seem meet; and that the said William Cookworthy, his executors, administrators, and assigns, shall and lawfully may have and enjoy the whole profit, benefit, commodity, and advantage, from time to time, coming, growing, accruing, and arifing, by reason of the said invention, for and during the term of years herein mentioned; to have, hold, exercife, and enjoy, the faid licence, powers, privilege, and advantages, herein-before granted, or mentioned to be granted, unto the faid William Cookworthy, his executors, administrators, and affigns, for and during and unto the full end and term of fourteen years from the date of these presents next and immediately ensuing, and fully to be complete and ended, according to the statute in fuch case made and provided: and to the end that he the said William Cookworthy, his executors, administrators, and affigns, and every of them, may have and enjoy the full benefit and the fole use and exercise of the said invention, according to our gracious intention herein-before declared, we do, by these presents, for us, our heirs and successors, require and strictly command all and every person and persons, bodies politick and corporate, and all other our subjects whatsoever, of what estate, quality, degree, name, or condition soever they be, within that said part of our kingdom of Great Britain called England, our dominion of Wales, and town of Berwick upon Tweed aforesaid, that neither they, nor any of them, at any time, during the continuance of the said term of fourteen years hereby granted, either directly or indirectly, do make use or put in practice the said invention, or any part of the same, so attained unto by the said William Cookworthy as aforesaid, nor in anywise counterfeit, imitate, or resemble, the fame; nor shall make, or cause to be made, any addition thereunto, or substraction from the same, whereby to pretend himself or themselves the inventor or inventors, devisor or devisors thereof, without the licence, consent, or agreement, of the faid William Cookworthy, his executors, administrators, or assigns, in writing, under his or their hands and feals, first had and obtained in that behalf; upon such pains and penalties as can or may be justly inflisted on such offenders for their contempt of this our royal command; and further to be answerable to the faid William Cookworthy, his executors, administrators, and alfigns, according to law, for his and their damages thereby occasioned. And moreover, we do, by these presents, for us, our heirs and successors, will and command all and fingular the justices of the peace, mayors, sheriffs, bailiffs, constables, headboroughs, and all other officers and minitters whattoever, of us, our heirs and successors, for the time being, that they, or any of them, do not, nor shall at any time hereafter, during the faid term hereby granted, in anywite moleft, trouble, or hinder, the faid William Cookwortly, his executors, administrators, or affigus, VOL. XXXI.



# Anno decimo quinto GEORGII III. C.52. [1775.

figns, or any of them, or his or their deputies, servants, or agents, in or about the due and lawful use or exercise of the aforefaid invention, or any thing relating thereto. Provided always, and these our letters patent are and shall be upon this condition, that if at any time, during the faid term hereby granted, it shall be made appear to us, our heirs or successors, or any six or more of our or their privy council, that this our grant is contrary to law, or prejudicial or inconvenient to our subjects in general, or that the said invention is not a new invention, as to the publick use and exercise thereof, in that said part of our kingdom of Great Britain called England, our dominion of Wales, and town of Berwick upon Tweed aforesaid, or not invented and found out by the faid William Cookworthy, as aforesaid; then, upon signification or declaration thereof, to be made by us, our heirs or successors, under our or their fignet or privy feal, or by the lords and others of our or their privy council, or any fix or more of them, under their hands, these our letters patent shall forthwith cease, determine, and be utterly void to all intents and purposes; any thing herein-before contained to the contrary thereof in anywise notwithstanding. Provided also, that these our letters patent, or any thing herein contained, shall not extend, or be construed to extend to give privilege unto the faid William Cookworthy, his executors, administrators, or assigns, or any of them, to use or imitate any invention or work whatfoever which hath heretofore been found out or invented by any other our subjects whatfoever, and publickly used or exercised in that said part of our kingdom of Great Britain called England, our dominion of Wales, or town of Berwick upon Tweed aforefaid, unto whom like letters patent or privileges, have been already granted for the sole use, exercise, and benefit thereof: it being our will and pleasure, that the said William Cookworthy, his executors, administrators, and assigns, and all and every other person and persons to whom like letters patent or privileges have been already granted as aforesaid, shall distinctly use and practise their several inventions, by them invented and found out, according to the true intent and meaning of the said respective letters patent, and of these presents. Provided likewise, nevertheless, and these our letters patent are upon this express condition, That if the said William Cookworthe, his executors or administrators, or any person or persons which shall or may at any time or times hereafter, during the continuance of this grant, have or claim any right, title, or interest, in law or equity, of, in, or to, the power, privilege, and authority, of the fole use and benefit of the said invention hereby granted, shall make any transfer or assignment, or any pretended transfer or affignment, of the faid liberty and privilege, or any there or theres of the benefit or profit thereof, or shall declare any trust thereof to or for any number of persons exceeding the number of five; or shall open, or cause to be opened, any book or books for publick fubicriptions to be made by any number of persons exceeding the number of five, in order to the raining any fum or fums of money, under pretence of carry-



### 1775.] Anno decimo quinto GEORGII III. C. 52.

ing on the faid liberty or privilege hereby granted; or shall by him or themselves, or his or their agents or servants, receive any fum or fums of money whatfoever of any number of perions exceeding in the whole number of five, for fuch or the like intents or purposes; or shall presume to act as a corporate body; or shall divide the benefit of these our letters patent, or the liberty and privileges hereby by us granted into any number of thates exceeding the number of five; or shall commit or do, or procure to be committed or done, any act, matter, or thing, whatfoever, during fuch time as fuch person or persons shall have any right or title, either in law or equity, in or to the faid premifes, which will be contrary to the true intent and meaning of a certain act of parliament, made in the fixth year of the reign of our late royal great grandfather King George the First, intituled, An act for the better securing certain powers and privileges intended to be granted by his Majesty, by two charters, for assurance of ships and merchandises at sea, and for lending money upon bottomry, and for restraining several extravagant and univarrantable practices therein mentioned; or in cafe the faid power, privilege, or authority, shall at any time hereafter become vested in or in trust for more than the number of five persons, or their representatives, at any one time, (reckoning executors or administrators as and for the fingle person whom they represent as to such interest as they are or shall be intitled to in right of such their testator or intestate;) that then, and in any of the said cases, these our letters patent, and all liberties and advantages whatfoever hereby granted, shall utterly cease, determine, and become void, any thing hereinbefore contained to the contrary thereof in anywise notwithflanding. Provided also, That if the said William Cookworthy shall not particularly describe and ascertain the nature of his said invention, and in what manner the same is to be performed, by an instrument in writing, under his hand and seal, and cause the fame to be inrolled in our high court of chancery, within four calendar months next and immediately after the date of thefe our letters patent; that then, these our letters patent, and all liberties and advantages whatfoever hereby granted, shall utterly cease, determine, and become void, any thing herein-before contained to the contrary thereof in anywife notwithstanding. And lastly, we do by these presents, for us, our heirs and successors, grant unto the faid William Coskworthy, his executors, administrators, and assigns, that these our letters patent, or the inrolment or exemplification thereof, shall be in and by all things, good, firm, valid, sufficient, and effectual in the law, according to the true intent and meaning thereof, and thall be taken, confirmed, and adjudged, in the most favourable and beneficial sense for the best advantage of the said William Cocks orthy, his executors, administrators, and affigns, as well in all our courts of record as elsewhere, and by all and fingular the officers and ministers whatfoever of us, our heirs and fuccesfors, in that part of our faid kingdom of Great Britain called England, our dominion of Wales, and town of Bertvick up in Tweed aforefaid, and amongit

1 2



year of our reign.

Anno decimo quinto Georgii III. c. 52. [1775. all and every the subjects of us, our heirs and successors, whatfoever and wherefoever, notwithstanding the not full and certain describing the nature or quality of the said invention, or of the materials thereto conducing and belonging: In witness whereof, we have caused these our letters to be made patent: Witness ourself at Westminster, the seventeenth day of March, in the eighth

And whereas the faid William Cookworthy hath, by an instrument, in writing, under his hand and feal, described and ascertained the nature of the faid invention, and the manner in which the same is to be performed; and bath caused the same to be involled in his Majesty's high court of chancery, within the time, and in the manner, directed by the faid letters patent: and whereas, by a deed of affignment, bearing date the fixth day of May, one thousand seven hundred and seventy-four, the faid William Cookworthy (for the considerations therein mentioned) hath affigned all his interest, benefit, and property, in the said letters patent, and invention, unto Richard Champion of Bristol, merchant, his executors, administrators, and assigns: and whereas the said Richard Champion bath been at a very considerable expence, and at great pains and labour, in prosecuting the said invention; and by rea-Son of the great difficulty attending a manufacture upon a new principle, bath not been able to bring the same to perfection until within this last year; and it will require further pains, labour, and expence, to render the faid invention of publick utility: for all which trouble and expence the faid Richard Champion will not be able to receive an adequate compensation, unless the term granted by the said letters patent be prolonged: to the end therefore that the said Richard Champion may be encouraged to profecute and complete the faid invention, may it please your Majesty (at the humble petition of the said Richard Champion) that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all and every the powers, liberties, privileges, ers, privileges, authorities, rights, benefits, and advantages, which in and by the faid letters patent were originally given and granted to him recited letters the faid William Cookworthy, his executors, administrators, and patent, by this assigns, and no further or greater than he, or the said Richard act granted to Champion, would have been intitled to if this act had not been made, shall be, and the same are hereby given and granted to the said Richard Champion, his executors, administrators, and with a further assigns, and shall be held, exercised, and enjoyed, by him the said Richard Champion, his executors, administrators, and assigns, for and during the present term of fourteen years granted by the faid letters patent; and from and after the end and expiration of the faid term of fourteen years thereby granted, for and during the further or additional term of tourteen years, in as full, ample, and beneficial manner, in all respects, and to all intents and purposes whatsoever, as he the said Richard Champion, his executors, administrators, or alligns, could have held and en-

inted

All the pow-&c contained in the before-RichardChampion, his executors, &c. term of 14 years.



# Anno decimo quinto Georgii III. C. 53.

Joyed the same, under and by virtue of the said letters patent for the term thereby granted, in case the said letters patent had been originally granted by his Majesty to him the said Richard Cham-

pion, his executors, administrators, and assigns.

II. Provided always, and be it further enacted and declared specifications by the authority aforesaid, That if the said Richard Champion shall of the mixture not cause to be inrolled in the high court of chancery, within tions of the four months after passing this act, a specification of the mixture raw materials and proportions of the raw materials of which his porcelain is to be inrolled composed, and likewise of the mixture and proportions of the raw in the court of materials which compose the glaze of the same, (which specifi- in 4 months, cation is now in the hands of the lord high chancellor of Great Britain;) or if the same shall not be a true and just specification of the mixture and proportions of the said materials; then this otherwise this act shall cease, determine, and be absolutely void, any thing act to be void. herein-before contained to the contrary hereof notwithstanding.

III. Provided also, That nothing in this act contained shall No potter, &c. be construed to hinder or prevent any potter or potters, or any hindered from other person or persons, from making use of any such raw ma- in different terials, or any mixture or mixtures thereof, (except fuch mix- proportions. ture of raw materials, and in such proportions, as are described in the specification herein-before directed to be inrolled,) any

thing in this act to the contrary notwithstanding.

IV. And be it further enacted by the authority aforesaid, That Publick act. this act shall be adjudged, deemed, and taken to be a publick act; and shall be judicially taken notice of as such by all judges, justices, and other persons whomsoever, without specially pleading the same.

### CAP. LIII.

An all for enabling the two universities in England, the four universities in Scotland, and the several colleges of Eton, Westminster, and Winchester, to hold in perpetuity their copy right in books, given or bequeathed to the said universities and colleges for the advancement of useful learning and other purposes of education; and for amending so much of an act of the eighth year of the reign of Queen Anne, as relates to the delivery of books to the warebouse keeper of the stationers company, for the use of the several libraries therein mentioned.

ATHEREAS authors have heretofore bequeathed or given, Preamble. and may hereafter bequeath or give, the copies of books composed by them, to or in trust for one of the two universities in that part of Great Britain called England, or to or in trust for some of the colleges or houses of learning within the same, or to or in trust for the four universities in Scotland, or to or in trust for the several colleges of Earon, Westminster, and Winchester, and in and by their several wills or other instruments of donation, have directed or may direct, that the profits arising from the printing and reprinting such books shall be applied or appropriated as a fund for the advancement of learning, and other beneficial purposes of education within the said univerfities,

and proporchancerywith-

# Anno decimo quinto Georgii III. C. 53. [1775.

pries and colleges aforesaid: and whereas such useful purposes will frequently be frustrated, unless the sole printing and reprinting of such books, the copies of which have been or shall be so bequeathed or given as aforesaid, be preserved and secured to the said universities, colleges, and bouses of learning respectively in perpetuity; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the same, That the said universities and colleges respectively shall, at their respective presses, have, for ever, the sole liberty of printing and reprinting all fuch books as thall at any time heretofore have been, or (having not been heretofore published or assigned) shall at any time hereafter be bequeathed, or otherwise given by the author or authors of the same respectively, or the representatives of such author or authors, to or in trust for the faid universities, or to or in trust for any college or house of learning within the same, or to or in trust for the said four univerfities in Scotland, or to or in trust for the faid colleges of Eton, Westminster, and Winchester, or any of them, for the purposes aforefaid, unless the same thall have been bequeathed or given, or shall hereafter be bequeathed or given, for any term of years, or other limited term; any law or usage to the contrary hereof alimited time. in any-wife notwithstanding.

land and Scotland to have, for ever, the fole right of printing, &c. fuch books as have been, or thall be, bequeathed to them,

Universities, &c. in Eng-

unless the fame have been, or Mall be, given for

1775, perions printing or felling fuch books shall forfeit the fame, and also 1 d. for every theetz

one moiety to his Majetty, and the otner to the profecutor.

Nothing in any exclusive

II. And it is hereby further enacted, That if any bookseller, After June 24, printer, or other person whatsoever, from and after the twentyfourth day of June, one thousand seven hundred and seventyfive, shall print, reprint, or import, or cause to be printed, reprinted, or imported, any fuch book or books; or, knowing the fame to be so printed or reprinted, shall sell, publish, or expose to fale, or cause to be sold, published, or exposed to sale, any fuch book or books; then fuch offender or offenders shall forfeit fuch book or books, and all and every sheet or sheets, being part of fuch book or books, to the university, college, or house of learning respectively, to whom the copy of such book or books shall have been bequeathed or given as aforesaid, who shall forthwith damask and make waste paper of them; and further, that every fuch offender or offenders shall forfeit one penny for every sheet which shall be found in his, her, or their custody, either printed or printing, published or exposed to sale, contrary to the true intent and meaning of this act; the one moiety thereof to the King's most excellent majesty, his heirs and successors, and the other moiety thereof to any person or persons who shall sue for the same; to be recovered in any of his Majesty's courts of record at Westminster, or in the court of session in Scotland, by action of debt, bill, plaint, or information, in which no wager of law, essoin, privilege, or protection, or more than one imparlance, shall be allowed.

III. Provided nevertheless, That nothing in this act shall exthis act to ex. tend to grant any exclusive right otherwise than so long as the tend to grant books or copies belonging to the faid universities or colleges



# 1775.] Anno decimo quinto GEORGII III. C. 53.

are printed only at their own printing presses within the said right longer universities or colleges respectively, and for their sole benefit and than such advantage; and that if any university or college shall delegate, printed at the grant, leafe, or fell their copy rights, or exclusive rights of print- presses of the ing the books hereby granted, or any part thereof, or shall al-universties. low, permit, or authorife any person or persons, or bodies corporate, to print or reprint the same, that then the privileges hereby granted are to become void and of no effect, in the same manner as if this act not been made; but the said univer- Universities fities and colleges, as aforefaid, thall nevertheless have a right to may fell copy fell such copies so bequeathed or given as aforesaid, in like man-rights in like ner as any author or authors now may do under the provisions author.

of the statute of the eighth year of her majesty Queen Anne. IV. And whereas many persons may through ignerance offend against this act, unless some provision be made whereby the property of every such book as is intended by this all to be secured to the said universities, colleges, and houses of learning within the same, and to the faid universities in Scotland, and to the respective colleges of Eaton, Westminster, and Winchester, may be afcertained and known, be it therefore enacted by the authority aforesaid, That nothing in No person sub this act contained shall be construed to extend to subject any ject to penalbookseller, printer, or other person whatsoever, to the forfeitures ties for printor penalties herein mentioned, for or by reason of the printing ing,&c. books or reprinting, importing or exposing to sale, any book or books, queatned, ununless the title to the copy of such book or books, which has or less they be have been already bequeathed or given to any of the said univer-entered before fities or colleges aforesaid, be entered in the register book of the June 24,1775. company of stationers kept for that purpose, in such manner as hath been usual, on or before the twenty-fourth day of June, one thousand seven hundred and seventy-five; and of all and every All books that fuch book or books as may or shall hereafter be bequeathed or may hereafter given as aforesaid, be entered in such register within the space of be bequeath-two months after any such bequest or gift shall have come to the entered within knowledge of the vice chancellors of the said universities, or two months heads of houses and colleges of learning, or of the principal of after such beany of the said sour universities respectively; tor every of which quest shall be entries so to be made as aforesaid, the sum of sixpence shall be 6d. to be paid paid, and no more; which faid register book shall and may, at for each entry

cate may take a fee not exceeding fixpence. V. And be it further enacted, That if the clerk of the said being paid 6d. company of stationers for the time being shall refuse or neglect If clerk refuse to register or make such entry or entries, or to give such certifi- or neglect to cate, being thereunto required by the agent of either of the faid make entry, universities or colleges aforesaid, lawfully authorised for that pur- &c. poie, then either of the said universities or colleges aforesaid, being Proprietor of

the proprietor of such copy right or copy rights as aforesaid, (notice such copy being right to have

all seasonable and convenient times, be referred to and inspect- in the register ed by any bookseller, printer, or other person, without any see or book, which may be reward; and the clerk of the said company of stationers shall, inspected when and as often as thereunto required, give a certificate un-without fee. der his hand of such entry or entries, and for every such certifi- Clerk to give



Anno decimo quinto Georgii III. c. 53. [1775.

like benefit as if fuch entry had been mades and the clerk

being first given of such refusal by an advertisement in the Gazette,) thall have the like benefit as if fuch entry or entries, certificate or certificates, had been duly made and given; and the clerk so refusing shall, for every such offence, forfeit twenty shall forfeit 201. pounds to the proprietor or proprietors of every such copy right; to be recovered in any of his Majesty's courts of record at Westminster, or in the court of session in Scotland, by action of debt, bill, plaint, or information, in which no wager of law, effoin, privilege, protection, or more than one imparlance, shall be allowed.

Clause in act 8

VI. And whereas in and by an act of parliament, made in the Anox, recited. eighth year of the reign of her late majesty Queen Anne, intituled, An act for the encouragement of learning, by veiling the copies of printed books in the authors or purchasers of such copies during the times therein mentioned, it is enacted, That nine copies of each book or books, upon the best paper, that, from and after the tenth day of April, one thousand seven bundred and ten, should be printed and published, as therein mentioned, or reprinted and published with additions, shall, by the printer and printers thereof, be delivered to the warehouse keeper of the said company of flationers for the time being, at the hall of the faid company, before such publication made, for the use of the royal library, the libraries of the universities of Oxford and Cambridge, the libraries of the four universities in Scotland, the library of Sion College in London, and the library commonly called The library belonging to the faculty of advocates in Edinburgh respectively; which such warehouse keeper was thereby required, within ten days after demand by the keepers of the respective libraries, or any person or persons by them, or any of them, authorised to demand the faid copy, to deliver the same to the use of the aforesaid libraries; and if any proprietor, bookseller, or printer, or the said warehouse keeper of the faid company of stationers, should not observe the direction of the said att therein, that then he and they so making default in not delivering the said printed copies as aforesaid, should forfeit as therein mentioned: and whereas the faid provision has not proved effectual, but the same bath been eluded by the entry only of the title to a single volume, or of some part of such book or books so printed and published, or reprinted and republished, as aforesaid; be it enacted by the authority aforesaid, That no person or persons whatsoever shall be subject to the penalties in the said act mentioned, for or by reafon of the printing or reprinting, importing or exposing to fale. any book or books, without the consent mentioned in the said any book, un- act, unless the title to the copy of the whole of such book, and less the title to every volume thereof, be entered, in manner directed by the faid the copy of the act, in the register book of the company of stationers, and unless nine such copies of the whole of such book or books, and every volume thereof printed and published, or reprinted or republished, as therein mentioned, shall be actually delivered to the warehouse keeper of the said company, as therein directed, for the several uses of the several libraries in the said act mentioned.

No person fubject to penalties in the faid act for printing, &c. whole be entered, &c.

VII. And be it further enacted by the authority aforesaid,



# 1775.] Anno decimo quinto GEORGII III. C. 54-56.

That if any action or suit shall be commenced or brought against Limitation of any person or persons whatsoever, for doing, or causing to be actions. done, any thing in pursuance of this act, the desendants in such action may plead the general issue, and give the special matter General issue in evidence; and if upon such action a verdict, or if the same shall be brought in the court of session in Scotland, a judgment, be given for the desendant, or the plaintist become nonsuited, and discontinue his action, then the desendant shall have and recover his full costs, for which he shall have the same remedy as a desendant in any case by law hath.

VIII. And be it further enacted by the authority aforesaid, Publick act. That this act shall be adjudged, deemed, and taken to be a publick act; and shall be judicially taken notice of as such, by all judges, justices, and other persons whatsoever, without specially

pleading the fame.

#### CAP. LIV.

An act for paving and regulating, and for preventing nuisances and obftructions within New Gravel Lane, and the several streets, lanes, passages, and places, within the parish of Saint Paul, Shadwell, in the county of Middlesex, not comprised in an act passed in the eleventh year of
his present Majesty's reign, for paving and regulating Rosemary Lane,
and the other places therein mentioned.

#### CAP. LV.

An act to explain and amend an act, passed in the fourteenth year of his present Majesty's reign, intituled, An act for the better relief and employment of the poor avithin the parish of Saint Leonard, Shoreditch, in the county of Middlesex; and for building a averkhouse; and for purchasing a piece of land for a burial ground, for the use of the said parish.

#### CAP. LVI.

An all for applying the funds provided for rebuilding the offices of the fix clerks of the King's court of chancery, by an all, made in the fourteenth year of the reign of his present Majesty, intituled, An all for rebuilding the office of the fix clerks of the King's court of chancery, and for erecting offices for the register and accountant-general of the said court, for the better preserving the records, decrees, orders, and books of account, kept in such offices; in building offices for the said six clerks in the garden of Lincoln's Inn, instead of rebuilding the present six clerks office in Chancery Lane; and for other purposes.

WHEREAS by an act of parliament, passed in the fourteenth year Preamble. of the reign of his present Majesty, intituled, An act for rebuild-Act 14 Geo. 3. ing the office of the six clerks of the King's court of chancery, and recited for erecting offices for the register and accountant-general of the said court, for the better preserving the records, decrees, orders, and books of account, kept in such offices; it was (among other things) enacted, That out of the securities purchased with the surplus money mentioned in the said act, and out of the interest produced and to be produced from such securities, and out of the surplus interest which should arise or be produced from securities purchased in pursuance of several



# Anno decimo quinto GEORGII III. C. 56. [1775.

Several acts of parliament in the said act mentioned, and out of the interest which should arise or be produced from securities to be purchased in pursuance of the said act, such sum or sums of money, as the lord high chancellor of Great Britain, or the lord keeper or lords commifsioners for the custody of the great seal of Great Britain for the time being, should in his or their discretion deem necessary, should be applied, under the direction of the said court, in the first place, in paying and defraying the charges and expences attending the passing and obtaining the said ast, and then in rebuilding the said office called The Six Clerks Office, with the offices belonging thereto, and in purchafing ground and houses for that purpose, if any should be deemed necessary by the said court, and in providing a proper place for transacting the bufiness of the said fix cierks office during the time such office should be rebuilding; and that the ground and houses to be purchased for the purpose of rebuilding the said fix clerks office, if any should be deemed necessary, should be conveyed to, and vested in, the faid fix clerks, to hold to them and their successors, for ever, in trust, for the purposes in the faid act mentioned: and whereas the office of the faid fix clerks, and the grand belonging thereto, is so surrounded by houses and other buildings, that the said office is in continual danger of accidents by fire, and a sufficient space of ground contiguous thereto cannot be obtained for rebuilding the same, detacked from any dwelling-houses: and rubereas the honourable society of Lincoln's Inn are owners of a convenient spot of ground, part of the ancient garden belonging to the faid fociety, which will better answer the purposes intended by the faid att; and the worshipful the masters of the bench of the said society are willing, and have agreed to fell and dispose of so much ground, part of the said garden, as shall be necessary for the purpose of eretting the said office thereon; that is to say, All that piece or parcel of ground, situate on the east side of the said garden next Chancery Lane, abutting fouth on ground granted or agreed to be granted by the faid fociety for the purpose of erecting offices for the register and accountant-general of the said court of chancery; east in part on ground adjoining to Chancery Lane, belonging to the faid fociety, which is to continue their property, but to be left vacant for an area, only before the fix clerks office to be inclosed with an iron pallifade railing by the faid fix clerks, but not to be used by them for any purpose what soever; and in other part on Chancery Lane aforesaid, west, on ground belonging to the faid fociety, to be luid open, part of which, not exceeding three feet in width, for the length of eighty-seven feet three inches from the fouth end of the same, and three feet nine inches in width for the remaining part of the said west side, to be inclosed with an iron pallisade railing by the said fix clerks, as an area before the said offices, but not to be used by them for any purpose what soever; and north on ground belonging to the faid fociety, (which is to be vested in the faid fix clerks, under certain restrictions as herein-after is mentioned, for the use of the said offices,) containing in breadth from east to west, at the fouth end, fixty feet of affixe, and from north to fouth on the east side, one hundred and sixty one feet seven inches and a quarter of affize, with a break of two feet nine inches westward in the said east side, at the distance of eighty-seven feet three inches from the fouth end, con-

taining



# 1775.] Anno decimo quinto Georgii III. c. 56.

taining in breadth from east to west, at the north end, fifty-four feet fix inches of affixe, and in length from north to fouth, on the west side, one hundred and fixty one feet seven inches and a quarter of affixe, with a break eastward in the Said west side of two feet and nine inches, at the distance of eighty-seven feet three inches from the South end; which dimensions are exclusive of the footings or plinths which are allowed to project on the surface of the ground on the east, north, and west sides of the same, two inches; also all that piece or parcel of ground, fituate between the north boundary of the before-mentioned piece or parcel of ground and the north wall of the said garden, containing in length from east to west, on the south side thereof, next the said ground, fifty four feet fix inches of affixe, abutting south on the said first-mentioned ground, east on Chancery Lane, north on the garden wall aforefaid, and west on ground belonging to the said society; all which pieces or parcels of ground are situate on a parallel with the buildings now carrying on in the faid garden, and commence, on the fouthermost boundary thereof, at the distance of forty-two feet nine inches southward of the centre of the said buildings; and the said ground hath been approved as proper for the scite of the said office by the right honourable the lord high chancellor, who hath fixed a price thereon, which the faid benchers have agreed to accept; but the funds provided by the faid all cannot be applied in purchasing the said ground, and in building the said office thereon, without the authority of parliament: and in as much as the soil and freehold of the said garden is vested in trustees, upon trust, for the said society, a good title cannot be made to the said ground without the aid of parliament; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That out of the securities purchased with the surplus mo. The lord ney mentioned in the said recited act, and out of the interest chancellor,&c. produced, and to be produced, from fuch fecurities, and out of to apply certhe furplus interest produced, or to be produced, from securities be raised as purchased in pursuance of the several acts in the said recited act mentioned 14 mentioned, and out of the interest produced, or to be produced, Geo. 3. for the from securities purchased in pursuance of the said recited act, such this and the fum and fums of money, as the lord high chancellor of Great faid recited Britain, or the lord keeper, or the lords commissioners for the cus- act. tody of the great seal of Great Britain for the time being, shall, in his and their discretion, deem necessary to be paid by virtue of any order or orders of the faid court, and be applied under the direction of the said court in paying and defraying the charges and expences attending the passing and obtaining of this act, and in purchasing the said ground belonging to the said society of Lincoln's Inn herein-before mentioned and described, and in building thereon an office for the faid fix clerks, and the offices thereto belonging, as well as in carrying into execution the purposes of the Exception. said recited act, except so much thereof as relates to the rebuilding the faid fix clerks office in the place where the same now stands. and except so far as the said recited act is hereby altered or varied. II. And be it further enacted and declared, That the faid par-



vested in the fix clerks, to erect thereon an office, &c.

124

Groundbefore cel of ground belonging to the faid fociety, herein-before mendescribed to be tioned and described. shall, from and after the passing of this act, be, and the same is hereby vested in the said six clerks, to hold to them and their successors, for ever, to the intent to erect thereon an office for the fix clerks, and an inrolment office, fuch inrolment office being now part of the building of the present fix clerks office; such offices respectively to be used and employed in fuch and the same manner as the said office called The Six Clerks Office, and the involment office, are now used and employed, and

to and for no other use or purpose whatsoever.

III. And whereas the faid office of the faid fix clerks, and the offices thereto belonging, and the laid fix clerks, and the fworn clerks, waiting clerks, and clerks of involments of the faid court of chancery, executing their several offices within the liberty of the Rolls in the county of Middlesex, for and in respect of their said several and respective offices, have, pursuant to divers acts of parliament, been taxed, rated, and affeffed, to the payment of the land tax within the faid liberty, and it will be a great injury to such liberty if the said offices shall not continue to be rated and affelled within such liberty; be it further After removal enacted, That from and after the removal of the said offices refpectively into the buildings to to be erected upon the ground belonging to the faid fociety of Lincoln's Inn, and notwithstandthe same place ing such removal, such offices shall respectively continue to be taxed, rated, and affeffed, for the payment of the land tax within the faid liberty of the Rois only, and thall not be taxed, rated, or affested, within any other division, parish, or place whatfoever, nor shall the said offices, or any of them, be taxed, rated, or affeffed, for the payment of any other rates, taxes, or affeffments whatfoever, imposed or to be imposed, fave as hereinbefore is mentioned; nor shall the said society of Lincoln's Inn, be rated or taxed, for or in respect of the said offices, to any rates, taxes, or affestments what soever.

If any officer refuse to pay the fums ratto be recovered by diffress.

of the offices,

the land tax

to be paid in

and manner as heretofore.

IV. And be it further enacted by the authority aforesaid, That when any officer or officers belonging to the faid offices shall ed, the money neglect or refuse to pay the sum or sums of money, which shall be rated or affested upon them, or any of them, by virtue of any act for granting an aid to his Majesty by a land tax, any two or more of the commissioners, appointed by such act for the liberty of the Rolls, shall and may certify by writing, under their hands and seals, such neglect or refusal, and the sum payable by virtue of such act, to the commissioners for executing such act in the county or place where such officer or officers reside, and any two or more of such commissioners are hereby authorised and required, upon receipt of such certificate, by warrant under their hands and feals, to authorife and impower the respective collectors of the parish or place where such officer or officers reside to distrain the goods and chattels of fuch officer or officers, and the diffress or distresses so made to detain and keep for the space of four days; and if such officer or officers do not pay the said sum or fums of money, for which such distress shall be made as aforefaid, within the space of four days, that then the faid goods and



# 1775.] Anno decimo quinto GEORGII III. c. 56.

chattels so distrained as aforesaid shall and may be appraised and fold by two fuch honest and sufficient persons as the said commissioners who shall sign the said warrant shall nominate and appoint, and the monies ariting thereby shall be paid to the collectors of the faid liberty of the rolls, for and towards fatisfaction of the faid sum or sums of money, and the surplus (if any be) thall be returned to the owner of the faid goods, after the

charge of the faid diffress and sale shall be deducted. V. And whereas the faid fix clerks are possessed of chambers or rooms over the said office, called The Six Clerks Office, which were anciently the residence of the Said six clerks, but it will be greatly inconvenient and dangerous if any such chambers are erected over the office for the faid fix clerks, to be erected in pursuance of this act, whereby the faid fix clerks will lose the benefit and emclument arising from such chambers: and whereas, by reason of the said office, called The Six Clerks Office, and the offices thereto belonging, being, in pursuance of this att, to be eretted on the faid ground belonging to the faid fociety of Lincoln's Inn, the ground whereon such offices now stand will, from and after the building and removal of the faid offices, be no longer applied for the purposes of such offices; be it therefore further enacted, That After the new when and fo foon as conveniently may be after the new building building for for the faid fix clerks office, and the offices thereto belonging, be completed, shall be completed, the said ground belonging to the said six the old buildclerks, and the buildings standing thereon, shall, by order of ing and the faid court of chancery, be fold, in such manner as the faid ground to be court shall direct, and the money to arise by such sale shall be fold, &c.

court shall direct, and the money to arise by such sale shall be paid into the bank of England, in the name and with the privity of the accountant-general of the faid court; and upon payment by the purchaser or purchasers respectively of his, her, or their purchase-money into the bank of England, as aforesaid, the said fix clerks shall grant, convey, and deliver the faid ground and premises, or such part or parts thereof respectively as shall be so fold unto fuch purchaser or purchasers, his, her, or their heirs, executors, administrators, or assigns, as the said court shall direct.

VI. And be it further enacted, That upon every such sale and Upon sale and conveyance of the faid ground and premifes as aforefaid, the conveyance of money to arise by such sale or sales shall be paid by such pur- the old buildchaser or purchasers, his, her, and their heirs, executors, or ad-ground, purministrators, as aforesaid, into the bank of England, in the name chasers to pay and with the privity of the faid accountant-general of the faid the money incourt, to be placed to the account of money Arifing by fale of the to the bank, fix clerks office, pursuant to the method prescribed by the act of pursuant to act the twelfth year of the reign of King George the First, chapter 12 Geo. 18.32. the thirty-second, and the general orders of the said court, and without fee or reward, pursuant to the act of the twelfth year of and 12 Geo. 2. King George the Second, chapter twenty-fourth; and the same c. 24. thall there remain, until the same shall, by virtue of any order or orders of the faid court, to be made for that purpole from time to time, be placed out in one entire furn, or in parcels, on fuch government or parliamentary fecurities as in and by fach order

836

Anno decient quinto Georgii III. C. 56. [1775

shall be directed, to the intent that the interest and annual produce, willing from the money fo to be placed out, may be applied the purpoles herein-after mentioned; and that the faid court of chancery may, by order or orders of the faid court, from time to time, change the fecurity or fecurities on which the faid monies thall be so placed out, as the said court shall think expedient.

The annual produce of money arifing by the fale of the faid premiles to be clerks, in lieu of their champers, &c.

VII. And be it further enacted, That the interest and annual produce which shall arise or be produced from securities, to be purchased in pursuance of this act, with money arising by sale of the faid ground and premises, shall, from time to time, be received by the governor and company of the bank of England, paid to the fix and placed to the credit of an account, to be raifed in the books kept there for the fuitors of the faid court, of interest arising from money placed out in pursuance of this act, and shall from time to time be paid, by virtue of any order or orders of the faid court, to the faid fix clerks, and their fucceffors, in lieu and recompence of the chambers so belonging to their several offices, and for the purpose of keeping the said offices to be erected in pursuance of this act in proper repair, and what shall be so ordered to be paid to the faid fix clerks shall be considered as a freehold estate in them respectively, as coming in lieu of their faid chambers.

Provide with respect to the eon to gainbi Bty.

VIII. Provided always, That from fuch time as the lord high chancellor of Great Britain, lord keeper or lords commissioners for the custody of the great seal for the time being, shall deem the purposes of the said recited act, and of this act, so far as respects the funds provided by the said recited act to be fully fatisfied, and shall in testimony thereof, by an order of the faid court, declare the fame, and direct the accountant-general of the faid court not to iffue any draft, and the governor and company of the bank of England not to iffue any further fum or fums of money out of the funds provided by the faid recited act for any of the purpoles aforesaid, the appropriation by the said recited act herein-before made, and of the furplus money placed to the account of interest arising from monies placed out in pursuance of the said act of the twelfth year of his late majesty King George the Second, and of the furplus money placed to the account of interest arising from monies placed out in pursuance of an act of the fifth year of his present Majesty, and also of the interest of fecurities to be purchased pursuant to the said act of the fourseenth year of his present Majesty, shall from thenceforth cease and be at an end.

Proviso with respect to dif-

IX. Provided always, and be it further enacted, That no ferent parts of easement, privy, or house of office whatsoever, be erected on any part of either of the pieces or parcels of ground herein-before described above the level of the ground floor of the said offices; and that no building whatfoever be erected on the last-mentioned piece or parcel of ground to rife above the level of the springing of the arches in the fronts of the buildings, intended to be erected by the faid fociety, or within thirty feet of the western boundary of the faid last-mentioned ground; and also, that the said



1775.] Anno decimo quinto GEORGII III. c. 57-59.

last-mentioned ground be inclosed on the western boundary by an open iron pallifade railing only, and those parts of the eastern boundary not built against be inclosed by a wall, the top of the coping of which thall be on a level with the springing of the said arches; and also, that the external plan and elevations of the basement and ground story of the buildings to be erected on the faid pieces or parcels of ground do correspond with the buildings intended to be erected by the faid fociety; and that the chimney shafts be erected regularly, and be carried up to such heights as not to annoy or be offensive to the rooms or chambers in the faid buildings intended to be erected by the faid fociety; and that no act or thing be done upon any part of the faid several premises to annoy or be offensive to any of the said chambers, or the occupiers thereof.

X. Provided also, and be it enacted, That the said society do Proviso. not erect any building or buildings whatsoever between the east front of the buildings now carrying on by the faid fociety and the western boundary of the said first-mentioned piece or parcel of

ground.

XI. And it is hereby further enacted and declared, That the The offices faid offices or buildings, to be erected in pursuance of this act, and buildings and the offices or buildings to be erected adjoining thereto, for to be erected the use of the register and accountant-general of the said court ject to the reof chancery, and all other buildings already erected, or begun, gulations of or which may hereafter be erected or begun, or any part of the 14 Geo. 3. ground or premifes of Old Lincoln's Inn, shall not be subject to all or any of the regulations and directions contained in an act of parliament, passed in the fourteenth year of the reign of his prefent Majesty, intituled, An act for the further and better regulation of buildings and party walls; and for the more effectually preventing mischiefs by fire within the cities of London and Westminster, and the liberties thereof, and other the parishes, precinets, and places, within the weekly bills of mortality, the parishes of Saint Mary le Bon, Paddington, Saint Pancras, and Saint Luke at Chelsea in the county of Middlesex; and for indemnifying, under certain conditions, builders and other persons against the penalties to which they are or may be liable for erecting buildings within the limits aforesaid contrary to law; any thing in the faid act contained to the contrary notwithstanding.

> CAP. LVII.

An act for watering Piccadilly, from the end of Berkeley Street to Hyde Park Gate, in the parish of Saint George Hanover Square, in the county of Middlelex.

C A P. LVIII.

An act for lighting the streets, lanes, roads, and publick passages, within the town of Hampstead, and parts adjacent within the parish of Hampttead, in the county of Middlefex; and for establishing a nightly watch therein, and a patrole between the faid town and London.

CAP. LIX.

An act for the better relief and employment of the poor within the hun. dreds of Milford and Launditch, in the county of Nortolk.



# Anno decimo quinto GEORGII III. C.60-65. [1775.

#### CAP. LX.

An act for extending the duty of two pennies Scots, or one fixth part of a penny sterling, payable on every pint of ale and beer vended or sold in the village of Port Glasgow and the privileges thereof, over the town of Newark; for supplying the inhabitants of Port Glasgow and Newark with fresh water; for paving, cleaning, lighting, and watching the streets of the said two towns; for erecting publick markets therein; for repairing, and keeping in repair, the breast and east and west quays of the harbour of Port Glasgow, and other purposes therein mentioned.

#### CAP. LXI.

An act for vesting in James Watt, engineer, his executors, administrators and assigns, the sole use and property of certain steam engines, commonly called Fire Engines, of his invention, described in the said act, throughout his Majesty's dominions, for a limited time.

#### CAP. LXII.

An act for completing and maintaining the pier at the town of Mevagif-

#### CAP. LXIII.

An act for repairing the highways and bridges in the shire of Argyll.

#### CAP. LXIV.

An act for the more easy and speedy recovery of small debts within the hundred of Elloe, in the county of Lincoln.

#### CAP. LXV.

An act for draining and preserving certain fen lands, low grounds, and commons, in the several parishes of Ramsey, Bury, Wistow, Warboys, Somersham, Colne, and Pidley with Fenton, in the county of Huntingdon, and in the parishes of Chatteris and Doddington, within the Isle of Ely, in the county of Cambridge.

Preamble. Lands described. So much of former acts as relates to the lands under this act repealed. Fen lands, &c. to be under the controul of the commissioners under this act. Proviso describing the lands to be under the controul of commissioners till Wimblington Leam, &c. be widened, &c. Proviso. Lands before described to be two districts for embanking. Lands divided into five districts for drainage. First district for draining. Second district for draining. Third district for draining. Fourth district for draining. Fifth diffrict for draining. Commissioners for the general embankment. Number of commissioners for the lower district. Commissioners dying, new ones to be chosen. Perpetual commissioners. Qualification of commissioners. Real owner of two commonable houses, or ten acres of several land in upper district, may appoint a commissioner for every house, and 15 acres, over and above which he possesses. Commisfioners for draining. Commissioners for the first district; - fecond difriet; - third diffriet; - fourth diffriet; - fitth diffriet. Every owner of 40 acres of taxable land in the first district may appoint a commissioner for every 50 acres over and above which he possesses. Every owner of 30 acres within the second district may appoint a commissioner for every 50 acres over and above which he possesses. Each deputy to be owner, &c. of 10 acres in second district. Lords and ladies of manors of Warboys, Little Ravely, &c. in the third district, may appoint commissioners, &c. Every owner of 40 acres in the fourth district may appoint a commissioner for every 50 acres over and above which he possesses; every fuch deputy to be owner of to acres. Every owner of two meffuages, or 20 acres, to appoint a commissioner for every two messuages and 20 acres over and above which he possesses; every deputy to he owner of one metfuage, &c. Names of the deputies for the five differets to be involted one month before they act. Time and place of meetings of commissioners.

Fune:



# 1775.] Anno decimo quinto GEORGII III. c. 65.

Power of adjournment, &c. Commissioners to rate and assess upper and lower districts, not to exceed as. per acre in upper district, nor 3s. per acre in lower district. Taxes to be paid at places commissioners shall appoint, &c. Charges of this act how to be paid. Power to lay 6 d. an acre more for payment of the charges of the act, if necessary. Time and place of meetings of commissioners for draining. Commissioners impowered to affels the districts in certain sums above the sums directed to be levied on the upper and lower districts. Commissioners of Ramsey first district impowered to lay further rates, for repairing of mills, and for payment of debts. Commissioners of first district impowered to lay a tax of 10s. per acre, and commissioners of second district a tax of 20s. per acre, in the first year. Tenants for life, guardians, trustees, &c may charge their lands for paying the taxes; and may mortgage or leafe fuch lands as a fecurity, Commissioners impowered to borrow money upon the credit of the rates. The sums to be borrowed in each district. Assignments to be numbered, but none to be made for any less sum than 50 l. in each district. Securities may be assigned. Rates chargeable with the payment of the principal money and interest. On default of payment, rates shall vest in the creditors till paid. No money to be borrowed at any meeting, unless the proper number of commissioners for each district shall be present. Debts due to John Gardner elquire, to have priority of payment. Money due to John Waddington and John Gardner esquires, to be paid first out of the rates within the fifth district. Part of the debts under Sutton and Mepal acts, chargeable upon the lands taken from the controul of the commissioners under the faid acts. Commissioners may inclose part of Warboys commons. How the money arising from letting such inclosures is to be applied. If the money arising from letting of the inclosures is insufficient to pay the rates, the uninclosed parts liable to the remainder. If tenants refuse to pay their rents at the times mentioned in their leafes, commissioners may recover by diffress. If commissioners of third diffrict neglect to inclose the commons, for 3 months, their powers, &c. vested in the commissioners of the upper diffrict. Provito. Grounds so inclosed not to pay tithes, &c. Rates upon Crollode common by whom to be borne. Part of Somersham common to be inclosed. How the taxes laid on Chatteris common may be recovered. Collectors may diffrain for payment of taxes. If sufficient distress cannot be found on the lands, the property of persons making default may be distrained in any other place; and if the money rated be not paid within five days, the goods may be fold. Tenants to pay taxes, and deduct the same out of their rent. Persons refusing to pay the rates for one month after due, to forfeit two-pence in the shilling for what is in ar-Commissioners impowered to collect arrears of taxes under former acts of parliament. Commissioners may take earth to support the banks, &c. and may cleanse, widen, and make cuts, drains, &c. making satisfaction to the owners of the foil. Disputes to be settled by the justices, whose determination shall be final. In case of any breach, &c. banks may be altered. Commissioners of the lower district for embanking, together with commissioners for the Three Hundred Acre Farm, to cut drains, erect mills, &c. Commissioners of lower district to make particular drains. New drains to be begun next to the Forty Foct River. Commissioners of upper and lower districts to make staunch doors in Slade Load Drain, at the hard lands in Chatteris. Penalty on persons opening the said doors when thut, without an order figned by commissioners. Commissioners impowered to lay taxes on the lower diffrict for carrying on the faid works, over and above all other taxes, not exceeding 10s. the first year, nor 2s. in any other year, per acre. The stile on Northey bank to be kept in repair by the commissioners of the upper district for embanking. Commissioners for first district to make drains, and erect a mill. Proprietors of lands adjoining may erect doors next the faid drain for letting the waters into the fame. No water to be conveyed into the faid drain between the faid farm and Paddock drove, nor into the divition ditch between the faid farm and the lands of Mrs. Kerrich. Mr. Flemming to support his banks. Penalty of 501. on cutting any of the banks. Commissioners of first district to stop up the dike ends between Mr. Flemming and Mrs. Kerrich's lands, and to erect tiles as fences. Commissioners impowered to erect mills and make VOL. XXXI.



# Anno decimo quinto GEORGII III. c. 65. [1775.

drains in the second district. A drain to be made, and mill erected, for draining Warboys common. Commissioners of the third district to place a staunch door or doors in the diren which divides Mrs. Kerrich's land and the West Water. If commissioners of third district suffer staunch doors to remain open more than two hours before the mill is going, &c. to pay double damage. Any person having the care of staunch doors, and fuffering them to continue open more than two hours, &c. to be committed. Owners may shut the staunch doors, &c. and keep them and the banks in repair, if commissioners refuse; and be paid their expences by the treasurer of the third district. No land of Mr. Wyldbore to be cut or taken for repairing banks, except for the general embankment. Mr. Wyldbore's and Mr. Flemming's land, and Crollode Common, not subject to drainage tax. Commissioners of fourth district may erect mills next Fenton load. Commissioners of fifth district to erect inside mills for drainage, &c. Owners of the Three hundred Acre Farm may erect mills at their own expence. No infide mills permitted to go till the great mills are ready for working, nor during any breach, &c. of the bank, or when the great mills are disabled from going. 51. penalty for offending. Commissioners of Sutton and Mepal acts to drain the Three hundred Acre Farm till certain works are completed. Owners to drain, if commissioners refuse. If one great mill be disabled, half of the others to cease going, &c. Proprietors of adjacent lands may lay tunnels into Fenton Load and the Twenty Feet Drain. Commissioners of the lower district for embanking, &c. to make a bank from Warboys Common to the Three hundred Acre Farm. Proprietors of Warboys High Fen to make a bank from a place opposite the Twelve Feet Drain to Wilthorn Ware. Commissioners of fourth and fifth districts may lay tunnels to let waters out of the Forty Foot into the Twenty Feet Drain. Chatteris Commoners to erect a bridge in Chatteris Acre Fen. Monies advanced towards carrying on the works in the upper or lower diffrict for embanking to be repaid out of the taxes arising or laid in the first year. Commissioners to order a survey and map to be made. High lands not to be charged. Manner of determining which are high lands. Persons destroying the works deemed guilty of felony. Persons cutting the works to forfeit rool. Penalty on persons laying obstructions in drains and fisheries. Penalty on persons allowing hogs to wander on the banks. Persons burning the banks by carelesiness, to make good the damage. No hods to be cut within 40 feet of any banks, except in the third district. Persons erecting horse mills, or any more mills than directed by this act, to torteit 50 l. and 51. per day while fuch erections shall continue. No houses to be built, nor trees, &c. planted, nearer to mills than 50 poles, under the penalty of 100 l. Trees and holts now growing within 50 poles may be cut down. If owners, &c. neglect to scour or repair dikes, the same to be done at their expence. Commisfioners annually to view and repair fuch works as shall be neglected in any of the said districts. Treasurer of any district where default shall be to pay all the expences. On neglect of the commissioners for the district where any breach shall happen commissioners of the other district may repair the same. Mills to be ensured. No banks, &c. to be taken away till the mills are ready to work. Commissioners to appoint officers, and allow them salaries. Officers may be removed after 5 days notice. Treasurer and other officers to give fecurity. Officers to account yearly at the general meeting, and to attend with their books, &c. Accounts passed and allowed, to be entered in two separate books, &c. Officers of each dittrict to account as often as required; and in case of neglect to be committed. Proceedings to be entered in books. Orders not to be reversed, unless a certain number of commissioners be present, and the major part consenting thereto, nor unless 10 days notice be given. Justices may administer oaths; and may act although commissioners, except where personally interested. Proceedings not to be removed by Certiorari, &c. Plaintiffs recovering to have full costs. &c. No plaintiff shall recover if tender of amends has been made. Penalties how to be recovered. Persons aggrieved may appeal to the quarter session. Orders not to be quashed for want of form. How offenders may be proceeded against. No writings to be chargeable with stamp-duty. Quoi um of commissioners. Commissioners



# 2775.] Anno decimo quinto Georgii III. c.66.

acting not being qualified to pay 501. One moiety to the profecutor, and the other for the works, How notice of meetings is to be given. Form of conviction. Saving the rights of the commissioners of Ramsey first district. Saving clause to the corporation of Bedford Level. Saving clause to commissioners of Nene. Saving of rights to bodies politick, &c. Saving the rights of turnpike commissioners: but not to impower them to make any cuts for water cross the road, so as to injure the lands to be drained by this act. Limitation of actions. General issue. Treble costs. Publick act.

#### CAP. LXVI.

An act for draining and preferring certain lands and grounds in the parishes of Wisbech Saint Peter's and Wisbech Saint Mary's, and in the hamlets of Wisbech Murrow and Wisbech Guyhirn, in the Isle of Ely, and county of Cambridge.

Preamble. Commissioners names. Time and place of the meetings of commissioners. What number shall constitute a meeting. Time of first meeting. Expences allowed to commissioners at meetings. All orders, &c. to be made at meetings only, and not to be altered, unless five contmissioners concur. In case of death, &c. of commissioners new ones to be chosen. Bishop of Ely, &c. may nominate commissioners. Certain commissioners may appoint proxies. Penalty on persons acting as commisfioners not being qualified. Commissioners impowered to dig and take earth from certain lands, and to fet up mills, and make bridges, &c. to fell trees, and remove other obstructions, paying for the damage. If parties cannot agree, damage to be fettled by the justices. Proviso. Saving clause. If the white mill be enlarged, the red mill to be also enlarged. How earth may be taken away to widen the drain at Tun Green, &c. Commissioners impowered to support the bank from Murrow bank to the white engine. Proviso. Bridges to be provided where necessary. Proprietors of lands lying on the nortofide of the drain between Little Dowgate and the red mill to have free passage over the same. Commissioners power respecting the works, and appointing of officers, &c. Collectors and receivers to give fecurity, and to account at the general meeting. How officers refufing to account may be punished. Acre taxes to be made, and in what proportions. Proviso respecting a place called The Nine Hundred. Lands to be measured. Tenants to pay the tax, and to deduct it from their rent. Certain persons not intitled to deduct the tax. If persons make default in payment of taxes, how they may be recovered. Manner of proceeding, when diffress cannot be found on the lands. Lands untenanted to remain a fecurity for the rates. Money may be borrowed not exceeding 60001. and the rates be affigned as a fecurity for payment. Affignments to be entered in a book, and notified to the clerk within three Clerk's fee. Affignments may be transferred. Expences of this act how to be paid. Rates to be chargeable with money borrowed. Transfers or other securities may be without stamps. Penalty on persons wilfully destroying mills, floodgates, &c. or permitting swine to stray on the banks, or fetting nets in the drains, &c. or otherwise damaging any other of the works. Rates, &c. to be entered in books. Receipts to be examined annually. Accounts allowed of to be entered in a book, which may be inspected without fee. Proceedings of commissioners to be entered in books. How outring or division dikes are to be maintained, &c. If owners refuse to scour, &c. and remove all obstructions, commissioners may cause the same to be done, and levy the money expended by distress. Rights of commissioners of sewers over these lands to cease. Not to invalidate the Halfpenny Acre Shot. Dike reeves under commissioners of lewers to collect rates already laid, except as excepted, and how to be applied, Limitation of actions. General iffne. Treble costs. Reserving rights of conservators of Bedford Level. Publick act.

132

# Anno decimo quinto GEORGII III. c. 67-73. [1775.

### C A P. LXVII.

An all for amending and widening the road leading from Yarmouth Bridge through the hamlet of South Town, otherwise Little Yarmouth, to Gorleston, in the county of Suffolk.

# C A P. LXVIII.

An act for enlarging the term and powers granted in an act, made in the third year of his present Majesty's reign, for repairing the road from Newmarket, over Newmarket Heath, to the turnpike road leading to Stump Cross, in the counties of Cambridge and Suffolk; for repairing the road branching out of and leading from the aforesaid road, near The Devil's Ditch, on Newmarket Heath, to join the present turnpike road which leads to Cambridge; and for repairing the highway, through the town of Newmarket to the present turnpike road, from thence to Thetford.

#### C A P. LXIX.

An act for continuing and enlarging the term and powers of an act, made in the fifth year of the reign of his present Majesty, intituled, An act for repairing and widening the road leading from Porthaethwy Ferry to Holyhead, in the county of Anglesea.

#### CAP. LXX.

An act to enlarge the term and powers of several acts for repairing the road from Beaconsfield, in the county of Bucks, to Stokenchurch, in the county of Oxford.

#### C A P. LXXI.

An act to continue the term and powers of an act, made in the twentyfixth year of the reign of his late majesty King George the Second,
for repairing and widening the several roads in the county of Peebles, leading from Tweed's Cross towards the city of Edinburgh,
by Blythe Bridge, La Mancha, and Whem, and by Linton and
Carlops, and from Ingleston, through Carlops, until all the said
roads join the limits of the county of Edinburgh.

# CAP. LXXII.

An act for continuing and making more effectual several acts of parliament for reparing the roads from Luton, in the county of Bedford, to Westwood Gate, in the said county, and from Luton to Saint Alban's in the county of Hertford.

#### C A P. LXXIII.

An act to enlarge the term of several acts, passed in the sixth year of the reign of Queen Anne, the eleventh year of the reign of King George the First, and the tenth, thirteenth, and thirty-first years of the reign of his late majesty King George the Second, for repairing the highways from Old Stratford, in the county of Northampton, to Dunchurch, in the county of Warwick; and for more effectually amending the said highways.

# THE

# STATUTES at Large, &c.

Anno regni GEORGII III. Regis, Magnæ Britanniæ, Franciæ, & Hiberniæ, decimo sexto.

A T the parliament begun and holden at West-minster, the twenty-ninth day of November, Anno Domini 1774, in the fifteenth year of the reign of our sovereign lord GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by several prorogations, to the twenty-fixth day of October, 1775; being the second session of the fourteenth parliament of Great Britain.

#### CAP. I.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and seventy-six.

#### CAP. II.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.

#### CAP. III.

An all to enable his Majesty for a limited time to call out and assemble the militia in all cases of rebellion within this realm of Great Britain, or any of the dominions thereunto belonging; and to summon the parliament in the cases and manner therein mentioned.

WHEREAS by an all made in the second year of the reign of Preamble.

bis present Majesty, (intituled, An all to explain, amend, All a Geo. 3.

and reduce into one all of parliament the several laws now in recited,

being, relating to the raising and training the militia, within that

part of Great Britain called England;) it is, amongst other things,



enacted, That in case of actual invasion, or upon imminent danger thereof, or in case of rebellion, it may and shall be lawful for his Majesty, bis beirs and successors, (the occusion being first communicated to parliament, if the parliament shall be then fitting, or declared in council, and notified by proclamation, if no parliament shall be then sitting, or in being) to order and direct his or their lieutenants and deputy licutenants therein mentioned, with all convenient speed, to draw out and embody all the regiments and battalions of militia of their re-Spective counties, ridings, or places, or so many of them as his Majesty, his heirs and successors, shall judge necessary, in such manner as shall be best adapted to the circumstances of the danger, and to direct them to be employed in such manner as is therein more particularly mentioned: and whereas it might be of great public utility, that the militia of this kingdom should be drawn out, embodied, and employed as aforesaid, upon occasion of the present rebellion in America, or of any rebellion that may hereafter arise in any of the dominions of the crown of Great Britain, that his Majesty may be the better enabled to employ his other forces for the suppressing of such rebellion, and at the same time to provide for the defence of these kingdoms; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That in all cases of rebellion within this realm of Great &c. in case of Britain, or any of the territories or dominions thereunto belongrebellion, may ing, (the occasion being first communicated, declared, and notified, as in the said act is provided), it shall and may be lawful for his Majesty, his heirs and successors, to order and direct all the regiments and battalions of militia, of the respective counties, or places in this kingdom, or so many of them as his Majesty, his heirs and successors, shall judge necessary, to be drawn out, embodied, led, and employed, in any parts of this kingdom, in fuch manner and upon the like terms, conditions, and regulations, to all purposes and effects whatsoever, as in the said act are provided in the cases therein mentioned.

and affemble the parliament, on giving 14 days Botice.

This act to

continue in

His Majesty,

militia;

II. Provided always, and be it enacted by the authority aforefaid, That if at any time (in case of any rebellion within this realm of Great Britain, or any of the territories or dominions thereunto belonging), the parliament shall happen to be separated by fuch adjournment or prorogation, as will not expire within fourteen days, it shall be lawful for his Majesty, his heirs and fuccessors, to iffue a proclamation for the meeting of the parliament, upon fuch day as he or they shall thereby appoint, giving fourteen days notice of such appointment, and the parliament shall accordingly meet upon such day, and continue to sit and act in like manner, to all intents and purposes, as if it had stood adjourned or prorogued to the same day.

III. Provided always, and be it enacted by the authority aforefaid, That this act shall continue and be in force for the space of seven years, and from thence to the end of the then next ses-

force for leven fion of parliament, and no longer. years.



#### CAP. IV.

An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and leventy-fix. Four Shillings in the pound.

#### CAP. V.

An all to probibit all trade and intercourse with the colonies of New Hampshire, Massachuset's Bay, Rhode Island, Connecticut, New York, New Jersey, Pensylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, during the continuance of the present rebellion within the said colonies respectively; for repealing an act, made in the fourteenth year of the reign of his present Majesty, to discontinue the landing and discharging, lading or shipping, of goods, wares, and merchandize, at the town and within the harbour of Boston, in the province of Massachuset's Bay; and also two alls, made in the last session of parliament, for restraining the trade and commerce of the colonies in the faid acts respectively mentioned; and to enable any person or persons, appointed and authorised by his Majesty to grant pardons, to issue proclamations, in the cases, and for the purposes therein mentioned.

THEREAS many persons in the colonies of New Hampshire, Preamble. Massachuset's Bay, Rhode Island, Connecticut, New York, New Jersey, Pensylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, have set themselves in open rebellion and defiance to the just and legal authority of the king and parliament of Great Britain, to which they ever have been, and of right ought to be, Subject; and have affembled together an armed force, engaged his Majesty's troops, and attacked his forts, have usurped the powers of government; and prohibited all trade and commerce with this kingdom, and the other parts of his Majesty's dominions: for the more speedily and effectually suppressing such wicked and daring designs, and for preventing any aid, Supply, or affistance, being fent thither during the continuance of the said rebellious and treasonable commotions, be it therefore declared and enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all manner of trade and commerce is All trade and and shall be prohibited with the colonies of New Hampshire, commerce Massachuset's Bay, Rhode Island, Connecticut, New York, New Jer- with the rebelsey, Pensylvania, the three lower counties on Delaware, Mary-prohibited, land, Virginia, North Carolina, South Carolina, and Georgia; and on pain of forthat all ships and vessels of or belonging to the inhabitants of feiture of vesthe faid colonies, together with their cargoes, apparel, and fur-fels, cargoes, niture, and all other ships and vessels whatsoever, together with &c. their cargoes, apparel, and furniture, which shall be found trading in any port or place of the said colonies, or going to trade. or coming from trading, in any fuch port or place, shall become forfeited to his Majesty, as if the same were the ships and L3

136

Anno decimo fexto Georgii III. c. 5.

[1776. effects of open enemies, and shall be so adjudged, deemed, and taken in all courts of admiralty, and in all other courts whatloever.

Proviso.

II. Provided always, and it is hereby further enacted and declared by the authority aforesaid, That nothing in this act shall extend, or be construed to extend, to such ships and vessels as shall be actually retained or employed in his Majesty's service, or to fuch ships and vessels as shall be laden with provisions for the use of his Majesty's fleets, armies, or garrisons, or for the use of the inhabitants of any town or place garrifoned or poffeffed by any of his Majesty's troops, provided the masters of such ships and veffels respectively shall produce a licence in writing, under the hand and feal of the lord high admiral of Great Britain for the time being, or of three or more commissioners for the time being for executing the office of lord high admiral of Great Britain, or of the commanders of his Majesty's fleets or armies, or of the governor, lieutenant governor, or commander in chief of any of his Majesty's colonies or provinces not herein-before mentioned, specifying the voyage in which such ship or vessel shall be employed, and expressing the time for which such licence shall subsist and be in force, and also expressing the quantity and species of the said stores and provisions on board: and if any goods, wares, or merchandizes, other than stores and provisions for his Majesty's use, or provisions for the use of the inhabitants of any town or place garrisoned and possessed by his Majesty's troops, shall be found on board such ships or vessels, (the necessary stores for the ship's use, and the baggage of the passengers, only excepted), in any or either of those cases, the said goods, wares, and merchandizes shall be forfeited, and shall and may be seized and prosecuted in the manner herein-after directed.

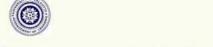
of all prizes vested in the captors.

III. And, for the encouragement of the officers and seamen of his Sole property Majesty's ships of war, be it further enacted, That the flag officers, captains, commanders, and other commissioned officers in his Majesty's pay, and also the seamen, marines, and soldiers on board, shall have the sole interest and property of and in all and every such ship, vessel, goods, and merchandize, which they shall seize and take, (being first adjudged lawful prize in any of his Majesty's courts of admiralty), to be divided in such proportions, and after such manner, as his Majesty shall think fit to order and direct by proclamation or proclamations hereafter to be issued for those purposes.

jesty's ships,

and their on the thips books.

IV. And be it further enacted by the authority aforesaid, Crewsof prizes That it shall and may be lawful to and for the said flag officers, board his Ma- captains, and commanders respectively, to cause to be taken, or put on board any of his Majesty's ships or vessels of war, or on board any other thips or vessels, all and every the masters, crews, and other persons, who shall be found on board such ship and names entered thips as shall be seized and taken as prize as aforesaid; and also to enter the names of such of the said mariners and crews, upon the book or books of his Majesty's said ships or vessels, as they,



1776.7 Anno decimo fexto Georgii III. c. 5.

the faid flag officers, captains, and commanders, shall respectively think fit; from the time and times of which faid entries respectively, the said mariners and crews shall be considered, and they are hereby declared to belong to, and to be as much in the fervice of his Majesty, to all intents and purposes, as if the said mariners and crews had entered themselves voluntarily to serve on board his Majesty's said ships and vessels respectively; and also that it shall and may be lawful to and for the said flag officers, captains, and commanders respectively, to detain, or cause to be detained and kept, the masters and other persons, and also fuch others of the mariners and crews of the faid prize ships as shall not be entered upon the books of his Majesty's ships or vessels of war as aforesaid, in and on board any ship or ships, veilel or veilels whatfoever, until the arrival of fuch last-mentioned ships or vessels in some port in Great Britain or Ireland, or in any port of America not in rebellion; and upon the arrival of Those, whose those ships or vessels in any such port, the commanders thereof names are not are hereby respectively authorised and required immediately to entered, to be fet the said last-mentioned mariners and crews, and also the said Great Britain,

masters and other persons, at liberty on shore there.

V. And, for the more speedy proceeding to condemnation or other determination of any prize, Ship, or vessel, goods, or merchandizes, to be taken as aforesaid, and for lessening the expences that have been usual in the like cases, be it further enacted by the authority aforefaid, That the judge or judges of fuch court of admiralty, or Judges in other person or persons thereto authorised, shall, within the space courts of adof five days after request to him or them for that purpose made, miralty, how finish the usual preparatory examinations of the persons com- condemnation monly examined in such cases, in order to prove the capture to of prizes. be lawful prize, or to enquire whether the same be lawful prize or not; and that the proper monition usual in such cases shall be issued by the person or persons proper to issue the same, and thall be executed in the usual manner by the person or persons proper to execute the same, within the space of three days after request in that behalf made; and in case no claim of such capture, thip, vessel, or goods, shall be duly entered or made in the usual form, and attested upon oath, giving twenty days notice after the execution of fuch monition; or if there be fuch claim, and the claimant or claimants shall not within five days give fufficient fecurity (to be approved of by fuch court of admiralty) to pay double costs to the captor or captors of such ship, vessel, or goods, in case the same so claimed shall be adjudged lawful prize, that then the judge or judges of such court of admiralty shall (upon producing to him or them the faid examinations or copies thereof, and upon producing to him or them, upon oath, all papers and writings which shall have been found taken in or with such capture, or upon oath made that no such papers or writings were found) immediately, and without further delay. proceed to sentence, either to discharge and acquit such capture, or to adjudge and condemn the same as lawful prize, according as the case shall appear to him or them upon perusal of such pre-L 4 paratory

1776.

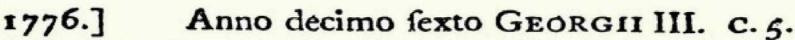
paratory examinations, and also of the other last-mentioned papers and writings found taken in or with such capture, if any fuch papers or writings shall be found; and in case such claim shall be duly entered or made, and security given thereupon according to the tenor and true meaning of this act, and there shall appear no occasion to examine any witnesses other than what shall be then near to such court of admiralty, that then fuch judge or judges shall forthwith cause such witnesses to be examined within the space of ten days after such claim made and fecurity given, and proceed to fuch fentence, as aforefaid, touching such capture: but in case, upon making or entering fuch claim, and the allegation and oath thereupon, or the producing such papers or writings as shall have been found or taken in or with such capture, or, upon the said preparatory examinations, it shall appear doubtful to the judge or judges of such court of admiralty, whether fuch capture be lawful prize or not, and it shall appear necessary, according to the circumstances of the case, for the clearing and determining such doubt, to have an examination, upon pleadings given in by the parties and admitted by the judge, of witnesses that are remote from such court of admiralty, and such examination shall be desired, and that it be still insisted on, on behalf of the captors, that the said capture is lawful prize, and the contrary be still persisted in on the claimants behalf; that then the faid judge or judges shall forthwith cause such capture to be appraised by persons to be named by the parties and appointed by the court, and fworn truly to appraise the same according to the best of their skill and knowledge; for which purpose the said judge or judges shall cause the goods found on board to be unladen, and, an inventory thereof being first taken by the marshal of the admiralty or his deputy, shall cause all such parts of the goods and merchandize as are perishable commodities to be fold by publick sale, for the clear amount of which only the captors shall be answerable to the claimants, and the remainder of them to be put into proper warehouses, with separate locks, of the collector and comptroller of the customs, and, where there is no comptroller, of the naval officer and the agents or persons employed by the captors and claimants, at the charge of the party or parties desiring the same; and shall, after such appraisement made, and within the space of ties giving fuf-fourteen days after the making of fuch claim, proceed to take ficient securi- good and sufficient security from the claimants to pay the captors the full value thereof, according to fuch appraisement, in case the same shall be adjudged lawful prize; and shall also proceed to take good and sufficient security from the captors to pay fuch costs as the court shall think proper, in case such ship shall not be condemned as lawful prize, and, after such ecurities duly given, the faid judge or judges thall make an interlocutory order for releasing or delivering the same to such claimant or claimants, or his or their agents, and the same shall be actually

Prizes to be appraised;

and, on party, to be delivered to the claimants.

> VI. And it is hereby further enacted by the authority aforefaid.

released or delivered accordingly.



faid, That if any claimant or claimants shall refuse to give such If claimants fecurity, the judge or judges shall cause the captor or captors in refuse such selike manner to give good and fufficient fecurity to pay the faid curity, claimant or claimants the full value thereof according to the appraisement, in case any such capture or captures shall be adjudged not to be lawful prize; and the said judge or judges shall Prize to be dethereupon proceed to make an interlocutory order for the re. livered to the leasing and delivering the same to the said captor or captors, or captors. their agents.

VII. And be it further enacted by the authority aforesaid, Books, papers, That all books, papers, and writings, found in any thip or vef- &c. found in fel taken as prize, shall without delay, upon the oath of the any prize, to captor, be brought into the registry of the court of admiralty to the admiwherein such ship or vessel may be proceeded against in order to ralty court, condemnation; but that such only of the said books, papers, &c. and writings, shall be made use of and translated, as shall be agreed or infifted upon by the proctors of the several parties, captors or claimants, or, in case of no claim, by the captor or register, to be necessary for ascertaining the property of such thip or vessel, and the cargo thereof, and the destination of the

voyage.

VIII. And be it further enacted by the authority aforesaid, All captures That all such captures as aforesaid, which shall be brought into brought into any of his Majesty's dominions in America, in order to be pro- any of his ceeded against to condemnation in any of his vice-admiralty Majesty's docourts, shall, without breaking bulk, stay there, and be under the merica, to be joint care and custody of the collector and comptroller of the under the care customs, or, where there is no comptroller, of the naval officers of the collectof the port or place where the same shall be brought, and all or, &c. the captors thereof, and their agents, subject to the directions of the court of vice admiralty, until either the same shall, by final sentence, have been either cleared and discharged, or adjudged and condemned as lawful prize, or that fuch interlocutory order as aforesaid, shall have been made for the releasing or delivering of the same unto such person or persons, and to be so divided and disposed of, as his Majesty, his heirs and successors, shall, by proclamation or proclamations hereafter to be iffued for those purposes, order and direct.

IX. Provided always, and it is hereby further enacted by the Proviso. authority aforefaid, That no captures which shall be taken by virtue of this act, shall be carried into any of the colonies or plantations in America herein before particularly mentioned, during and fo long time as fuch colonies or plantations respectively

shall continue in a state of rebellion.

X. And be it further enacted by the authority aforesaid, That Any judge, or if any judge or judges, or other officer or officers, in any of his other officer, Majesty's colonies or dominions abroad, to whom respectively it neglecting his shall appertain, shall delay the doing, performing, making, or duty, pronouncing any of the feveral proceedings, matters, or things, for, towards, or relating to, condemning or discharging, releasing or delivering, of any fuch capture in manner aforefaid, with-

140

Anno decimo sexto GEORGII III. C. 5. 1776.

in the respective times herein-before limited, or as soon as the fame ought to be done, according to the tenor and true meaning of this act, all and every such judge and judges, and other officer and officers, shall, for every such offence, forfeit the sum of to forfeit 500l. five hundred pounds; one moiety thereof to his Majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to such person or persons who shall inform or sue for the same, in any of his Majesty's courts in any of his colonies or dominions wherein such offence shall be committed.

No register, &c. in any court of admiraity, thall act as advocate, æc.

XI. And be it further enacted by the authority aforesaid, That no register or deputy register, nor any marshal or deputy marshal, of or belonging to any of his Majesty's courts of admiralty or vice-admiralty whatsoever, shall either directly or indirectly, by himself or themselves, or by any agent or agents, or other person or persons whatsoever, act or be concerned in any manner, either as an advocate or proctor, in any cause, matter, or business whatsoever, that shall be depending in any such court or courts of admiralty, to which fuch register, deputy register, marshal, or deputy marshal, shall then belong; and that every regifter, deputy register, marshal, or deputy marshal, who shall be guilty of such offence, (being thereof lawfully convicted, either on penalty of upon an information or indictment) shall from thenceforth abfolutely forfeit his respective office and employment of register, deputy register, marshal, or deputy marshal, in and belonging to the fame court.

forfeiting his office.

Fees to be taken by the officers in courts of viceadmiralty.

XII. And be it further enacted by the authority aforesaid, That there shall not be paid unto or among all the judges and officers of any court of vice-admiralty in any of his Majefty's dominions, for, towards, or relating to, the adjudging or condemning of fuch capture as aforesaid, as lawful prize, above the sum of ten pounds, in case such prize ship or vessel be under the burthen of one hundred tons, nor above the fum of fifteen pounds, in case the same be of that or any greater burthen; and that, upon payment of either of the said respective sums, as the case shall require, to the said judge or judges, or any of them, to be by him or them disposed or divided, as he or they shall think fit, among the officers of fuch court, fuch judges and officers, and every of them, shall be liable to all and every of the several penalties hereby imposed for neglecting or delaying to do and perform their several and respective duties or offices in and relating to the feveral proceedings aforefaid, within the respective times herein for that purpose limited.

Parties diffatisfied, may appeal to commissiondays after ientence.

XIII. Provided nevertheless, and it is hereby further enacted by the authority aforesaid, That if any captor or captors, claimant or claimants, shall not rest satisfied with the sentence given in fuch court of vice-admiralty in any of his Majesty's dominions, ers, within 14 it shall and may be lawful for the party or parties thereby aggrieved to appeal from the said court of vice-admiralty to commissioners appointed, or to be appointed, under the great feal of Great Britain, for receiving, hearing, and determining appeals in causes of prizes, so as the same be made within fourteen days

aiter



#### 1776.] Anno decimo sexto Georgii III. c. 5.

after sentence, and good security be likewise given by the appellant or appellants, that he or they will effectually profecute such appeal, and answer the condemnation, and also pay treble costs, as shall be awarded in case the sentence of such court of viceadmiralty be affirmed; provided that the said captor or captors. claimant or claimants, do, within fix months after sentence paffed, give notice to the faid court of vice-admiralty that they have appealed from such decree to the said commissioners.

XIV. Provided always, and it is hereby further enacted by the authority aforesaid, That the execution of any sentence so ap- Execution of pealed from as aforesaid, shall not be suspended by reason of such any sentence appeal, in case the party or parties appellate shall give sufficient not to be suffecurity, to be approved of by the court in which such sentence pended by shall be given, to restore the ship, vessel, goods, or effects, con- peal, &c. cerning which such sentence shall be pronounced, or the full value thereof, to the appellant or appellants, in case the sentence so

appealed from shall be reversed.

XV. And be it further enacted by the authority aforesaid, That Persons apin case any person who was not a party in the first instance of the pealing, &c. cause, shall interpose in an appeal from a sentence given in any must enter vice-admiralty court such person or his or her agent their claim. vice-admiralty court, such person, or his or her agent, shall at the same time enter his or her claim, otherwise such appeal shall be null and void.

XVI. And be it further enacted by the authority aforefaid, That if any commander or commanders, officer or officers, sea- Penalty on ofmen, marines, soldiers, or others, shall break bulk on board, or sicers, seamen, embezzle any of the money, jewels, plate, goods, merchandise, &c. who shall tackle, furniture, or apparel, of or belonging to fuch prize or embezzle moprizes so taken, such commander, officer, seaman, marine, sol- &c. belonging dier, or others, shall forfeit treble the value of all such money, to any prize. jewels, plate, goods, merchandize, tackle, furniture, or apparel, as he or they shall embezzle: one-third part thereof to be to the use of Greenwich hospital, and the other two third parts thereof to him or them who shall sue for the same, by action of debt, bill, plaint, or information, in any court of record in Great Britain, in which no effoin, protection, or wager of law, or more

than one imparlance shall be allowed.

XVII. And be it further enacted by the authority aforesaid, That all appraisements and sales of any ship or ships, goods, Appraisewares, or merchandizes, as shall be taken as prizes, shall be mentsandsales made by agents, or persons nominated and appointed in equal of prizes to be numbers by the flag officers or flag officer, captains or captain, made by officers or officer, ship's companies or ship's company, and others pointed by flag entitled thereunto; (that is to say), That if the flag officers or officers, &cc. flag officer of any fleet or squadron of ships as shall take any such prize or prizes, or the majority of fuch flag officers (if more than one) shall nominate and appoint one or more person or persons. agent or agents, to fell or appraise the same as aforesaid, then the captains and commanders, or captain or commander, entititled thereunto, or the majority of them (if more than one), shall nominate and appoint the like number of persons or agents



#### Anno decimo sexto Georgii III. c. 5. 1776.

to act for them; and all the other officers under the degree of a captain and commander entitled thereto, or the major part of them, shall also nominate and appoint the like number of perfons or agents to act for them; and all the crews of the feveral ships companies of the fleet or squadron, or ship's company, and others entitled thereto, or the major part of them, shall likewise nominate and appoint the same number of persons or agents to

act in their behalf in such appraisement or sale.

Agents shall regilter their letters of attorney within fix months tion,

XVIII. And be it further enacted by the authority aforesaid, That all and every person or persons who shall be nominated and appointed agent or agents as aforefaid, for any prize or prizes to be taken by any ship or ships, vessel or vessels of war, and which prize or prizes shall be condemned in the high court after sentence of admiralty in Great Britain, or in any of the courts of viceof condemna- admiralty in any of his Majesty's dominions where the said prize or prizes, and every of them, thall be condemned, thall exhibit and cause to be registered in the said high court of admiralty, or in the respective courts of vice-admiralty in any of his Majesty's dominions where the said prize and prizes, and every of them, shall be condemned, his or their respective letter or letters of attorney, appointing him or them agent or agents for the purposes aforesaid; and if any person or persons so appointed agent or agents as aforesaid, shall refuse or neglect so to do, for the fpace of fix calendar months next after fentence of condemnation of any prize shall be given in the said high court of admiralty in Great Britain, or in any vice-admiralty court in his Majesty's dominions for the care and distribution of which he or they shall be appointed agent or agents such person or persons so refusing or forfeit sool. or neglecting, thall forfeit the fum of five hundred pounds, to be recovered by him or them who shall sue for the same, by action of debt, bill, plaint, or information, in any court of record in Great Britain, or in any other of his Majesty's dominions, in which no effoin, protection, or wager of law, or more than one imparlance, shall be allowed.

Proviso.

XIX. Provided always, That if any agent or agents shall be appointed after the time any sentence of condemnation in any of the faid courts of admiralty or vice-admiralty thall be given, fuch agent or agents shall, under the aforesaid penalty, register, or cause to be registered, in manner aforesaid, his or their respective letter or letters of attorney, appointing him or them agent or agents as aforesaid, within the space of six calendar months after the date of the faid letter or letters of attorney.

Manner of notifications after fale of prizes.

XX. And be it further enacted by the authority aforefaid. That after the fale or fales of any prize or prizes which shall be giving publick taken in pursuance or by virtue of this act, publick notification or notifications shall be given and published in such manner as is herein-after particularly mentioned; (that is to fay), If the prize or prizes shall be condemned in his Majesty's high or other court of admiralty in Great Britain, then the person or persons. agent or agents, to be appointed in pursuance of this act, for the appraisement and sale of such prize or prizes, shall insert and

pub-



# 1776.] Anno decimo sexto Georgii III. c. 5.

publish, or cause to be inserted and published, such notification under his or their hand or hands respectively in the London Gazette, and if condemned in any court or courts of admiralty or vice-admiralty in any other of his Majesty's dominions, then fuch person or persons, agent or agents as aforesaid, shall insert and publish, or cause to be inserted and published, such notification, under his or their hand or hands respectively, in the gazette, or some other news-paper of publick authority, of the island or place where the prize or prizes shall be condemned; and if there shall be no gazette or such other news-paper published there, then in some or one of the most publick news-papers of fuch island or place for the time being; and all persons or agents publishing, or causing to be published, every such notification respectively, shall deliver to the collector, customer, or fearcher for the time being, of his Majesty's customs, residing at, or belonging to the port or place where the prize or prizes shall be condemned, or the lawful deputy or deputies of fuch collector, customer, or searcher; and if there shall be no such collector, customer or searcher, then such persons or agents as aforesaid, shall deliver to the principal officer or officers of the port or place where the prize or prizes shall have been condemned, or to the lawful deputy or deputies of fuch principal officer or officers, two of the gazettes or other news-papers in which fuch notification shall be so inserted and published; and if there shall not be any publick news-papers in any fuch island or place, then fuch perfon or persons, agent or agents, shall give two such notifications, in writing, under his or their respective hand or hands, to the faid collector, customer, or searcher, or the deputy or deputies of fuch collector, customer, or searcher, or, where there shall be no fuch collector, customer, or searcher, to such principal officer or officers, or his or their deputy or deputies as aforesaid; and every such collector, customer, or searcher, and principal officer or officers, or such deputy or deputies, shall subscribe his or their name or names on some conspicuous part of both the said gazettes, news papers, or written notifications respectively, and by the first ship which shall sail (after his or their receipt of such gazettes, news-papers, or written notifications respectively) from such port or place to any port of Great Britain, thall transmit or fend to the treasurer of Greenwich hospital, or the deputy of such treasurer for the time being, one of the said gazettes, news-papers, or written notifications, with his or their name or names fo subscribed to and upon the same respectively, to be there registered, and shall faithfully preserve and keep the other of the faid two gazettes, news-papers, or written notifications, with his or their name or names subscribed as aforesaid, in his or their custody; and that in every such printed or written notification as aforesaid, the said person or persons, agent or agents, shall infert or specify his or their place or places of abode, and the precise day of the month and year appointed for the payment of the several and respective shares of the prize or prizes to the captors; and all such notifications with respect to prizes. which shall be condemned in Great Britain, shall be published 144

#### Anno decimo fexto Georgii III. c. 5. 1776.

in the Landon Gazette, Hiree days as least before any part or parts, thare or proportion of any fuch prize or prizes shall be paid to any perfort or perfons entitled thereton and all fuch notifications, with respect to prizes condemned in any other part of his Majesty's dominions, shall be delivered to the said collector, cuflomer, or fearcher, or principal officer or officers aforefaid respectively, or such respective deputy or deputies, three days at least before any part or parts, share or proportion of any such prize or prizes shall be paid to any person or persons entitled thereto: after which several and respective notifications, if any men's shares shall remain in the hands of the persons or agents appointed as aforesaid, either belonging to such men as shall be run from his Majesty's service, or which shall not be legally demanded within three years, then such share or shares so remaining in the persons or agents hands, or belonging to such men as shall run from his Majesty's service, shall go and be paid to the ule of Greenwich hospital,

Agent for appraisement or fale of prizes duty

fhall forfeit 300l.

Collector, customer, &c. duty,

shall forfeit Tool.

Notifications in gazettes, &c. duly attefted and regiftered,

shall be good evidence in law, &c.

XXI. And be it further enacted by the authority aforefaid, That if any person or agent, to be appointed for appraisement or fale of any prize or prizes which shall be seized and taken as aforesaid, shall neglect or refuse to publish, give or deliver, any neglecting his notification herein-before directed or required to be published, given, or delivered, before the payment of any part of fuch prizemoney, or in the manner herein-before appointed, or shall not fet forth and specify therein the matters and things herein-before directed to be specified and set forth; every such person or agent shall, for every such offence, forfeit and pay the sum of one hundred pounds, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record in Great Britain, or elsewhere in any of his Majesty's dominions, in which no essoin, protection, privilege, wager of law, or more than one imparlance, shall be allowed; and if any collector, customer, or fearcher, of his Majesty's customs, or principal officer or officers, neglecting his or such deputy or deputies as aforesaid, shall neglect or refuse to receive or to attest, or shall not transmit or fend any such gazette. news-papers, or written notification, as aforesaid, in such manner as is before directed, every fuch collector, customer, or searcher, principal officer or officers, or such deputy or deputies so offending, shall, for every such offence, forfeit the sum of one hundred pounds, to be fued for and recovered in the same manner as the above penalty is directed to be fued for and recovered.

> XXII. And be it further enacted by the authority aforesaid, That the notifications in all such gazettes, news-papers, and in writing respectively, as aforesaid, which shall be so transmitted and attefted by fuch collector, customer, or searcher, or principal officer or officers, or fuch deputy or deputies as aforesaid, and registered at the said royal hospital, on proof of the hand-writing of such collector, customer, or searcher, principal officer or officers, or deputy or deputies, from time to time, and at all times, shall be good and sufficient evidence in all his Majesty's courts of law and equity, that the person or persons, whose name or names is or are therein fet forth and specified as the agent or

> > agents



1776.] Anno decimo fexto Georgii III. c. 5.

agents for the prize or prizes therein respectively mentioned, is

or are such agent or agents.

XXIII. Provided always, and be it declared and enacted by Provifo. the authority aforesaid, That nothing herein contained shall extend, or be construed to extend, or exempt any ships, goods, wares, or merchandizes, which shall be taken as prize, and brought or imported into this kingdom, or any of his Majesty's dominions, from the payment of any customs or duties, or from being subject to such restrictions and regulations to which the same now are or shall hereaster be liable by virtue of the laws and statutes of this realm.

XXIV. Provided always, and be it further enacted by the Prizes which authority aforesaid, That if any ship, vessel, or boat, taken as hadbeentaken prize, or any goods therein, shall appear, and be proved, in the jesty's subjects high court of admiralty, or vice-admiralty court, to have be-not in rebellonged to any of his Majesty's subjects of Great Britain or Ire-lion, to be reland, or any of the dominions and territories remaining and con- stored tothem, tinuing in their allegiance to the king, and under his Majesty's protection, which were before taken or surprized by any of his Majesty's rebellious colonies or plantations before-mentioned, and at any time afterwards again surprized and retaken from his Majesty's said rebellious colonies or plantations by any of his Majesty's ships of war, or other ship, vessel, or boat, under his Majesty's protection and obedience; that then such ships, veffels, boats, and goods, and every such part and parts thereof as aforesaid, formerly belonging to such his Majesty's subjects remaining and continuing under his protection, shall in all cases be adjudged to be restored, and shall be, by decree of the said high court of admiralty or vice-admiralty court, accordingly restored to fuch former owner or owners, or proprietors, he or they paying for and in lieu of salvage (if retaken from the rebels) one on payment of eighth part of the true value of the ships, vessels, boats, and 1-8th part of goods respectively so to be restored; which salvage shall be an- the value fwered and paid to the captains, officers, and seamen, to be divided in such manner as before in this act is directed touching the share of prizes belonging to the flag officers, captains, officers, feamen, marines, and foldiers.

XXV. And be it further enacted by the authority aforesaid, That no person or persons belonging to any of his Majesty's Persons withships or vessels of war, who shall run away or withdraw him or drawingthem-themselves from the ship or vessel by which any prize or prizes Majesty's sersual be taken, or otherwise, from his Majesty's service, before vice, forseit or after notification shall be given by the persons or agents aptheir share of pointed as aforesaid, of the day appointed for the payment of prize money; the several shares to the captors of the said prize or prizes, shall have, or be intitled to have or claim, any interest in or benefit of the said share or shares of the said prize or prizes, or any part which shall be thereof, but such share and shares of such prize and prizes shall use of Greenwich hospital.

XXVI. Provided always, That if any person or persons shall provise, or do run away or withdraw him or themselves from any such

hip



Anno decimo sexto Georgii III. C. 5. 1776. ship or vessel as aforesaid, after notification given as aforesaid, he and they shall forfeit and lose such part of his and their share and shares of the said prize or prizes, as shall be remaining in the said agent or agents hands at the time of his or their running away or withdrawing him or themselves; any thing hereinbefore contained to the contrary thereof in any-wife notwith-

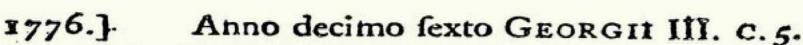
Agents, who Thall fell any prize, to tranf mit to the treafurer of Greenwich hospital a true state of the produce of

standing.

XXVII. And be it further enacted by the authority aforesaid, That all and every person and persons, agent and agents, and others, who shall sell or otherwise dispose of any prize or prizes so to be taken as aforesaid, shall, within the space of three calendar months next after the day to be appointed for the first payment or distribution to the captors of such prize or prizes, made in pursuance of such publick notification as aforesaid, make out and transmit or deliver unto the treasurer of the said fuch prize,&c. royal hospital of Greenwich for the time being, or to such person or persons as he shall for that purpose depute or appoint, a true state and account in writing, under the hand or hands of fuch agent or agents, or person or persons so employed, of the produce of all such prize and prizes as aforesaid, together with an account of the payments of the several shares to the captors as shall then have been really and bona fide by him or them refpectively paid; and also that all and every person and persons, agents, and others, that by virtue of this act shall fell or dispose of any prize or prizes, which shall at any time or times hereafter be taken by any of his Majesty's ships or vessels of war, such person and persons, agents, and others, so selling and disposing thereof, shall, within the space of three calendar months next after the expiration of the term of three years limited by this act, make out an exact account in writing of the produce of fuch prize and prizes, as also of the payments of the several shares to the respective captors, together with a true and just account upon oath, to be taken before the treasurer of the said hospital for the time being, or any other person or persons by him for that purpose deputed and authorised in writing under his hand and seal, (which oath the said treasurer of the said hospital, and his sufficient deputy and deputies, authorised as aforesaid, is and are hereby authorised and impowered to administer), of all sum and fums of money as shall be then remaining in such agent or agents, or persons custody, power or possession, and shall at the same time deliver, or cause to be delivered, to the treasurer of the said hospital for the time being, of to his sufficient deputy or agent, the faid accounts so attested upon oath as aforesaid, together with all fuch remaining tum and fums of money then so left and remaining in his or their hands as aforesaid, taking from the said treasurer, or his proper deputy or agent, his or their acquittance or acquittances for the same.

XXVIII. And be it further enacted, That all and every person Persons, &c. and persons hereby directed to transmit or deliver all or any the neglecting to deliver true accounts before mentioned, who shall neglect or refuse to transaccountstothe treasurer, &c. mit or deliver all or any such account or accounts to the trea-

furcr



furer of the said hospital, or his said deputy or agent, within the or not paying before limited and appointed time, in manner and form as is here-in all money in before mentioned, or who shall neglect or refuse to pay over all his hands after and every fuch fum and fums of money as shall remain in his or three years, their hand or hands, power, custody, or possession, after the term of three years, to be accounted as aforesaid, shall, for every such offence, forfeit the sum of one hundred pounds, over and above shall forfeit the money then in fuch agents hands; one-third part whereof 1001. shall belong to his Majesty, and the remaining two-third parts to the faid royal hospital, to be recovered, with costs of suit, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record, in which no essoin, protection, privilege, or wager of law, or more than one imparlance, shall be allowed.

XXIX. And be it further enacted by the authority aforesaid, That if any fraud, collusion, or deceit, shall be wittingly or willingly No wilful made, used, committed, permitted, or done, or suffered, in mak-used in balance ing, stating, or balancing, any such accounts, then every person or ing accounts, persons who shall be thereof duly convicted, and his and their aiders and abettors, shall forfeit and pay, for every such offence, over and above the penalties and punishments inflicted by this act, the sum of one hundred pounds; one-third part whereof on penalty of to be to the use of his Majesty, and one other third part to the rook use of the said hospital, and the remaining third part to the informer who shall sue for the same, to be recovered, with costs of fuit, by action of debt, bill, plaint, or information, in any court of record, in which no effoin, protection, privilege, or wager of

law, or more than one imparlance, shall be allowed.

XXX. And be it further enacted by the authority aforefaid, That the register or registers of his Majesty's high court of ad-Registers in miralty, and all other courts of admiralty in Great Britain, shall, courts of adfrom time to time, duly enter or register, or cause to be entered miralty shall or registered, in one or more book or books, to be by him of enter all letor registered, in one or more book or books, to be by him of ters of attorthem kept for that purpose only, all letters of attorney that shall be ney exhibited exhibited by any agent or agents for any prize or prizes which by agents, &c. shall be taken by any of his Majesty's ships or vessels of war, within 14 within fourteen days after the same shall be so exhibited or delivered to fuch register or registers, at his or their respective offices; which registry shall contain the day of delivery and entry, the dates of the letters of attorney, the names and places of abode of the agents, the names of the prizes taken, together with the names of the ships or vessels by which such prizes shall have been taken; and the said register or registers shall, on and deliver the twenty-fixth day of March, and the thirtieth day of Septem- copies thereof ber, or within forty days thereafter, in every year, transmit or year, to the deliver unto the treasurer of the faid hessited on to the lamber of the faid hessited. deliver unto the treasurer of the said hospital, or to the lawful treasurer, &c. deputy of such treasurer for the time being, a true copy or transcript, under his or their hand or hands, of all such entries as aforesaid, within the preceding half year; and if such register or registers shall neglect or refuse to make and keep such entries, or to transmit or deliver such copies thereof as aforesaid, within the respective times herein-before limited for that purpose, he or they thall, Vol. XXXI.

Anno decimo sexto Georgii III. C. 5.

or forfeit sool.

shall, for every such offence, forfeit the sum of one hundred pounds, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record, in which no effoin, protection, privilege, wager of law, or more than one

imparlance, shall be allowed.

Registers of admiralty Courts to make cut yearly lifts of ail letters of artorney re-

and transmit them to the treasurer of Greenwich holpital.

5001.

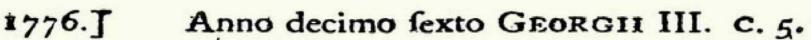
letters of attorney, &c. thall b. fuffiof the agency of the perions to whom they are made.

Agents not lianie to be fued by any person who thall be made run from his

XXXI. And be it further enacted by the authority aforefaid, That the register or registers of all and every the court and courts of admiralty in any of his Majesty's dominions, shall yearly and every year, upon the twenty-third day of October, or within three calendar months next after the same, make out and transcribe true copies of all and every fuch letter and letters of attorney as shall be so registered in the said court or courts, to which the gistered there, judge and judges of the said court and courts shall affix his and their seal of office; and then the said register and registers shall transmit the same to the treasurer of the said royal hospital at Greenwich, to be there registered, and to be inspected by any person gratis, the charges of which copies, and assixing the seal or feals thereto, and transmitting the same to the treasurer of the faid hospital, shall be paid by the said agent or agents at the time of making fuch registry as aforesaid; and in case such register or registers thall neglect or refuse to transcribe and transmit such copy and copies of the faid letter and letters of attorney in manner aforesaid, (any ship or ships in that time sailing from such port or place to any port or place in Great Britain,) such register and registers so neglecting or refusing shall forfeit the sum of on penalty of five hundred pounds, to be recovered by him or them who will fue for the same, by action of debt, bill, plaint, or information, in any court of record in Great Britain, or in any other part of his Majesty's dominions, in which no essoin, protection, privilege, or wager of law, or more than one imparlance, shall be allowed.

XXXII. And for the more effectual making of fuch letters of attorney evidence of the agency of the person or persons to whom the same shall be made, be it further enacted by the authority aforesaid, True cop es of That true copies of such letter and letters of attorney, and of transcripts under seal, transmitted by the said register or registers of the court and courts of vice admiralty within any of his Macient evidence jesty's dominions, and registered by the said treasurer of Greenwith hospital, shall, from time to time, and at all times hereafter, be good and sufficient evidence of the agency of the perfon or persons to whom such letters of attorney is or shall be made; and from time to time, and at all times hereafter, shall be admitted, without further or other proof thereof, to be legal evidence in all his Majesty's courts of record of law or equity; any law, custom, or usage, to the contrary thereof in any-wife notwithstanding.

XXXIII. And be it further enasted by the authority aforefaid, That no agent or agents for prizes shall be liable to be fued, impleaded, or arrested, by any person or persons who shall be made run from his Majesty's service, in the lists to be duly certified of the names of the officers, seamen, marines, soldiers,



or others, who shall be actually on board any of his Majesty's Majesty's serthips of war, at the taking of any prize or prizes, until the end vice in the of three months next after the expiration of three years, limited feamen, &c. by this act for the claiming of prizes, unless the person or per- unless he prosons so made run shall, before any action brought, obtain a cer-duce a certifiof his or their R or Rs being taken off, and the forfeiture cate of his R of his or their share of such prizes being discharged by the com- being taken missioners of his Maiolest prizes being discharged by the com- off. missioners of his Majesty's navy, who subscribed the said lists, and shall produce such certificate to the said agent or agents respectively, and unless the said agent or agents, on the producing of such certificate or certificates, shall refuse to pay the said prizemoney (in case the same be due and payable, according to the directions in his Majesty's declaration) within two months after any fuch demand made, and fuch certificate produced.

XXXIV. Provided always, That nothing in this act contain- Proviso. ed shall be construed to restrain his Majesty, his heirs and succeffors, from giving such further rules and directions to his respective courts of admiralty and vice-admiralty, as by his Majesty, his heirs and successors, with the advice of his or their

privy council, shall be thought necessary or proper.

XXXV. Provided always, and it is hereby further enacted by This act not the authority aforefaid, That nothing herein contained shall ex-vessels which tend, or be construed to extend, to any ship or vessel the pro-shall have failperty of any person or persons residing in the said colonies of New ed for Great Hampshire, Massachuset's Bay, Rhode Island, Connecticut, New York, Britain, or New Jersey, Pensylvania, the three lower counties on Delaware, the West In-Maryland, Virginia, North Carolina, South Carolina, and Georgia, dies, on or or any or either of them, which shall have sailed for Great Bri- before March, tain, or Ireland, from any British sugar colony or plantation in 1,1776, &c. the West Indies, on or before the first day of March, one thousand feven hundred and seventy fix, laden with any goods or commodities which before the passing of this act might be so lawfully transported and carried in any such thip or vessel; nor to any thip or vessel the property of any person or persons residing in the said colonies of New Hampshire, Massachuset's Bay, Rhode Island, Connecticut, New York, New Jersey, Pensylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, or any or either of them, which on or before the first day of January, one thousand seven hundred and feventy-fix, shall have arrived at any of the British sugar colonies or plantations in the West Indies, laden with lumber and provisions, or either of them, and, after discharging the same at such fugar colony or plantation, shall, on or before the first day of August, one thousand seven hundred and seventy-six, lade and take on board there, in order to be transported from thence into Great Britain or Ireland, any goods or commodities which may be lawfully transported from such sugar colony or plantation into Great Britain or Ireland respectively, in any other British vessel, upon condition that the master or person having the charge of fuch thip or vessel which shall have so arrived on or before the faid first day of January, one thousand seven hundred and seventy-N1 2 is the



# Anno decimo fexto Georgii III. C. 5.

fix, and shall have been loaded on or before the said first day of August, one thousand seven hundred and seventy-six, shall produce a certificate, under the hands and seals of office of the collector and comptroller, or other principal officer of his Majesty's customs for the port or place where such goods shall be laden, certifying that such ship or vessel did arrive at such sugar colony or plantation on or before the said first day of January, one thousand seven hundred and seventy-six, laden with lumber and provisions, or either of them, as the case may be; and that, after having discharged the same in such sugar colony or plantation, she had taken on board the several goods therein laden for Great Britain or Ireland respectively, describing the name and burthen of the ship, with the name of the master, and the contents of the cargo, with the particular marks and numbers of the packages of each fort and species of goods so laden, the port or place where, and the time when laden, and the port in Great Britain or Ireland to which the goods are configned, and that bond and security has been given for the due landing thereof according to law; which certificate such collector and comptroller, or other principal officer of the customs, are hereby required and enjoined to give without fee or reward.

Certificates to continue in torce for 6 months.

Malter, &c. upon his arrival in Great ver up his certificate to the collector, &c. on forfeitare of sool. Penalty on giving a falfe certificate, or counterfeiting or altering any certificate, &c.

to be recoverça.

XXXVI. And it is hereby further enacted by the authority aforesaid, That the certificates before mentioned for such ships or vessels as shall be bound to Great Britain and Ireland, shall continue in force for fix months from the dates thereof, and no longer; and the master or person having charge of such ship or vessel, upon his arrival at the port of his discharge in Great Britain or Ire- Britain or Ireland, at the time he reports his ship, is hereby reland, to deli- quired to deliver up fuch certificate to the collector and comptroller, or other principal officer of the customs at such port, on forfeiture of one hundred pounds: and if any officer or officers of the customs shall give or grant any false certificate, for the purpose required or directed by this act, such officer or officers shall forfeit the sum of five hundred pounds, and be rendered incapable of serving his Majesty, his heirs, and successors, in any office whatfoever; and if any person or persons shall counterfeit, erase, alter, or falsify any such certificate, or any licence required or directed by this act, or shall knowingly make use of any false certificate or licence, or of any certificate or licence so counterfeited, erased, altered, or falsified, such person or persons shall, for every such offence, forfeit the sum of five hundred pounds, and such certificate or licence shall be invalid and of no Penalties how effect; which said penalties, if the same shall be incurred in Great Britain, or within the British dominions in America, shall and may be profecuted, fued for, and recovered, and be divided, paid, and applied, in like manner as other penalties, inflicted by any act or acts of parliament relating to the trade or revenues of the British colonies or plantations in America, are directed to be prosecuted, sued for, or recovered, divided, paid, and applied, by any act or acts of parliament now in force; and if the faid penalties shall be incurred in the kingdom of Ireland, the same



#### Anno decimo fexto Georgii III. c. 5. 1776.]

shall and may be prosecuted, sued for, recovered, and applied, in fuch and the like manner, as any forfeiture incurred by the laws now in force in the said kingdom of Ireland, against the running or intending to run goods into that kingdom, may, by any act or acts of parliament now in force there, be profecuted, fued

for, recovered, and applied.

XXXVII. Provided always, and be it further enacted by the authority aforesaid, That nothing in this act shall extend, or be This act not construed to extend, to any ship or vessel, or the cargo thereof, to extend to which shall have been or may be cleared out from any port in out from Great Britain or Ireland, before the first day of January, one Great Britain thousand seven hundred and seventy-six, and shall be bound to or Ireland any of the British Sugar colonies in the West Indies, or which before Jan. hath been, or may be so cleared out from the said British sugar bound to the colonies, and shall be bound to Great Britain or Ireland, in case West Indies, it shall appear by the register of such ship or vessel that two- &c. thirds at the least of the owners of such ship or vessel are his if two-thirds Majesty's subjects residing in Great Britain or Ireland, or in some of the owners of the said British sugar colonies; nor to any ship or vessel, or ty's subjects the cargo thereof, which shall be cleared out from any port in residing in Great Britain or Ireland, after the twentieth day of January, one Great Britain, thousand seven hundred and seventy-six, and shall be bound to Ireland, or the any of the British sugar colonies, or which shall be cleared out islands. after the twenty-fifth day of March, one thousand seven hundred and feventy-fix, from the faid British sugar colonies, and shall be bound to Great Britain or Ireland, in case it shall appear, by the oath or affirmation of one or more of the owners of such ship or vessel, to be indorsed on the register thereof, to be taken before the collector or other principal officer of the customs at the port or place where such ship or vessel shall be cleared out, (which oath or affirmation such collector, or other principal officer of the customs, is hereby authorised and required to administer) that two-thirds at least of such ship or vessel are the property of his Majesty's subjects residing in Great Britain or Ireland, or in some of the said sugar colonies or plantations.

XXXVIII. And whereas many and large debts are now due from the inhabitants of the North American colonies herein before mentioned to divers of his Majesty's good and loyal subjects residing in Great Britain, Ireland, and the British plantations in the West Indies, and many of fuch good and loyal subjects may have estates and effects in some of the said North American colonies: and whereas goods and merchandize have been or muy be shipped or laden in the said colonies, for and on account of such debts, estates, or effects, and other goods and merchandize may be laden there, and fent from thence in consequence of orders given for that purpose; be it therefore enacted by the authority aforesaid, That nothing in this act This act not contained shall extend, or be construed to extend, to any ship to extend to or vessel which shall have cleared out and failed from any of cleared out the said colonies for Great Britain, Ireland, or any of the British from the coplantations in the West Indies, on or before the first day of lonies for January, one thousand seven hundred and seventy-six; nor shall &c. on or be-

 $M_3$ 

fore Jan. 1, 1776; nor to goods fhipped for remittances to &c. before

chandize, or effects which shall be laden or shipped on board any ship or vessel in any of the said North American colonies on or before the twenty-fifth day of March, one thousand seven Great Britain, hundred and seventy-fix, as a remittance to any of his Majesty's subjects, residing in Great Britain, Ireland, or the British colonies Dec. 21, 1775. or plantations in the West Indies, for or on account of any such estates, effects, or debts, or in consequence of any orders given for that purpose, before the twenty-first day of December, one thousand seven hundred and seventy-five, provided proof thereof shall be made, on oath of the parties to whom such goods, merchandize, or effects, shall be configned, or otherwise to the satisfaction of the judge or court before whom any seizure of such goods, merchandize, or effects, shall be depending, any thing herein contained to the contrary notwithstanding. XXXIX. Provided always, and it is hereby further enacted

extend, or be construed to extend, to forfeit any goods or mer-

to any veilel the property of the colonists, which on or before Jan. 1, 1776, shall have failwhere the might lawfulby trade, &c.

Not to extend by the authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to any ship or vessel the property of any person or persons residing in the said colonies of New Hampshire, Massachuset's Boy, Rhode Island, Connecticut, New York, New Jersey, Pensylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Caralina, or Georgia, which on or before the first day of January, one thouportin Europe fand seven hundred and seventy-fix, shall have sailed from any port or place in Europe where such ship or vessel might lawfully trade; or which on or before the faid first day of January, one thousand seven hundred and seventy-six, shall be actually laden in any such port or place for Great Britain or Ireland, with such goods and merchandizes as fuch thip or vessel might lawfully for transport; nor to any such ship or vessel as shall, on the said first day of January, one thousand seven hundred and seventy-six, remain in any port of Great Britain or Ireland, any thing herein contained to the contrary thereof in any wife notwithstanding.

Nor to any veffel belonging to the island of Nantucket, employed in the whale-fishery, and fitted out before Dec. 1, 1775, acc.

XL. Provided also, and it is hereby further enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend, to any ship or vessel being the property of any of the inhabitants of the island of Nantucket, employed in the whale fishery only, if it shall appear by the papers on board that such ship or vessel was fitted and cleared out from thence before the first day of December, one thousand feven hundred and seventy-five; or if the master, or other perfon having the charge of any fuch thip or veffel as aforefaid, shall produce a certificate under the hand and seal of the governor or commander in chief of the province of the Massachuset's Bay, fetting forth, that such thip or vessel (expressing her name, and the name of her master, and describing her built and burthen) is the whole and entire property of his Majesty's subjects of the faid ifland of Nantucket, and was the property of one or more of them on or before the twenty-fifth day of March, one thousand feven hundred and feventy-five.

Seizing of perfoas, veficis,

XLI. And whereas, before the passing this act, and fince the com-

mence-

#### Anno decimo sexto Georgii III. C. 5. 1776.

mencement of the faid unnatural rebellion, divers persons, veffels, car- &c. during goes, and other effects, may have been seized, detained, examined, the rebellion fearched, damaged, or destroyed, for the publick service, in withstand- and before the ing or suppressing the said rebellion, be it further enacted by the act, shall be authority aforeiaid, That all fuch acts shall be deemed just and deemed legal legal to all intents, constructions, and purposes whatsoever: and Limitation of if any action or fuit shall be commenced or protecuted against actions. any person or persons for or by reason of any thing so done, or for or by reason of any thing done or acted in pursuance of this act, then, and in every such case, such action or suit shall be commenced within fix calendar months next after the fact committed, and not afterwards; and the defendant or defendants shall and may plead the general issue, and give this act and the General issue. special matter in evidence; and if the act shall appear to have been done for the service of the publick, or in pursuance of and by the authority of this act, or if any such action or suit shall be brought after the time herein before limited for bringing the same, then the jury shall find for the defendant or defendants; and upon such finding, or if the plaintiff or plaintiffs shall be nonsuited, or discontinue his or their action after the defendant or defendants shall have appeared, or if upon demurrer judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs.

XLII. And whereas an act was passed in the fourteenth year of the reign of bis present Majesty, (intituled, An act to discontinue, 14 Geo. 3. in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping of goods, wares, and merchandize, at the town, and within the harbour of Boston, in the province of Massachuset's Bay, in North America;) and also an act paffed in the last session of parliament, (intituled, An act to 15 Geo. 1. restrain the trade and commerce of the provinces of Massa- cap. 10. chuset's Bay and New Hampshire, and colonies of Connecticut, and Rhode Island, and Providence Plantation, in North America, to Great Britain, Ireland, and the British islands in the West Indies; and to prohibit such provinces and colonies from carrying on any fishery on the banks of Newfoundland, or other places therein mentioned, under certain conditions and limitations;) and also another all passed in the same session, (intituled, An act to re- and 15 Geo. strain the trade and commerce of the colonies of New Jersey, 3. cap. 18. Pensylvania, Maryland, Virginia, and South Carolina, to Great Britain, Ireland, and the British islands in the West Indies, under certain conditions and limitations:) and whereas the prohibitions and restraints imposed by the said acts will be rendered unnecessary by the provisions of this act: be it therefore enacted by the authority aforesaid, That from and after the first day of January, one repealed. thousand seven hundred and seventy-fix, the said acts shall be, and the same are hereby repealed.

XLIII. And be it further enacted by the authority aforesaid, Commence-That this act, so far as the same relates to the capture and for- ment of this feiture of ships and vessels belonging to the inhabitants of the act. above-mentioned colonies, shall, except in the cases herein-be-M 4

Treble cofts.



Anno decimo fexto Georgii III. c. 5. [1776.

Persons authorited by his Majesty may grant pardons to any colony, province, county, &c. by proclamation in his Majesty's mame;

fore mentioned, commence and be in force from and after the first day of January, one thousand seven hundred and seventy-fix; and so far as the same relates to the capture and forseiture of all other ships and vessels that shall be sound going to trade in or at any of the said colonies, from and after the first day of February, one thousand seven hundred and seventy-fix; and so far as the same relates to the capture and forseiture of all other ships and vessels that shall be found trading in or at any of the said colonies, or bound and trading from any port or place in the same, from and after the twenty-fifth day of March, one thousand seven hundred and seventy-fix; and shall continue to be in force so long as the said colonies respectively shall remain in a state of rebellion.

after the issuing of which, this act to be void with respect to such colony, &c.

XLIV. Provided always nevertheless, and it is hereby enacted by the authority aforesaid, That in order to encourage all well affected persons in any of the said colonies to exert themselves in suppressing the rebellion therein, and to afford a speedy protection to those who are disposed to return to their duty, it shall and may be lawful to and for any person or persons, appointed and authorifed by his Majesty to grant a pardon or pardons to any number or description of persons, by proclamation, in his Majesty's name, to declare any colony or province, colonies or provinces, or any county, town, port, district, or place, in any colony or province, to be at the peace of his Majesty; and from and after the issuing of any such proclamation in any of the aforesaid colonies or provinces, or if his Majesty shall be graciously pleased to signify the same by his royal proclamation, then, from and after the iffuing of fuch proclamation, this act, with respect to such colony or province, colonies or provinces, county, town, port, district, or place, shall cease, determine, and be utterly void; and if any captures shall be made, after the date and issuing of such proclamations, of any ships or vessels, and their cargoes, belonging to the inhabitants of any fuch colony or province, colonies or provinces, county, town, port, district, or place, or of any ships trading to or from such colony or province, colonies or provinces respectively, the same shall be reftored to the owners of fuch ships or vessels, upon claim being entered, and due proof made of their property therein, and the captors shall not be liable to any action for seizing or detaining the faid ships or vessels, or their cargoes, without proof being made that they had actual notice of such proclamation having been issued.

Provilo.

XLV. Provided always, That such proclamation or proclamations shall not discharge or suspend any proceeding upon any capture of any such ship or vessel made before the date and issuing thereof.



### CAP. VI.

An all for giving a publick reward unto such person or persons, being his Majesty's subject or subjects, as shall discover a northern passage for vessels by sea, between the Atlantic and Pacific oceans; and ulfo unto such as shall first approach by sea within one degree of the northern pole.

THEREAS an act of parliament passed in the eighteenth Preamble. V year of the reign of his late majesty King George the Second, (intituled, An act for giving a publick reward to such person or persons, his Majesty's subject or subjects, as shall discover a north-west passage, through Hudson's Streights, to the western and fouthern ocean of America:) and whereas many advantages both to commerce and science may be also expected from the discovery of any northern passage for vessels by sea, between the Atlantic and Pacific oceans: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament If any ship assembled, and by the authority of the same, That if any ship or belonging to vessel, ships or vessels, belonging to any of his Majesty's sub-his Majesty, jects, or to his Majesty, shall find out and fail through any pas- &c. shall fail fage by sea, between the Atlantic and Pacific oceans, in any di-between the rection or parallel of the northern hemisphere to the northward Atlantic and of the fifty-second degree of northern latitude, the owner or beyond the owners of fuch thip or thips, vessel or vessels, if belonging to 52d degree, any of his Majesty's subjects, or the commander or commanders, commander, officers and seamen of such ship or vessel, ships or vessels, if be- &c. shall relonging to his Majesty, shall receive as a reward for such dis-ward of covery the fum of twenty thousand pounds.

II. And whereas the ships employed both in the Spitzbergen seas, and in Davis's Streights, have frequent opportunities of approaching the north pole, though they have not time, during the course of one summer, to penetrate into the Pacific ocean: and whereas such approaches may greatly tend to the discovery of a communication between the Atlantic and Pacific oceans, as well as be attended with many advantages both to commerce and science, be it therefore enacted by the authority aforesaid, That if any ship or vessel, ships or or shall apvessels, shall approach to within one degree of the northern pole, proach to the owner or owners of fuch ship or vessel, ships or vessels, if within one belonging to any of his Majesty's subjects, or the commander degree of the belonging to any of his Majesty's subjects, or the commander northern pole, or commanders, officers and feamen of fuch ship or vessel, ships shall receive a or vessels, if belonging to his Majesty, so first approaching to reward of within one degree of the northern pole, his or their executors, 5,000l. administrators, or assigns, shall be entitled to receive, and shall receive, as a reward for such first approach towards the northern

pole, the fum of five thousand pounds. III. And in order to ascertain who are the first discoverers of the faid northern passage into the Pacific ocean, and who are the first approachers to within one degree of the northern pole, and to whom the

20,0001.



## Anno decimo fexto GEORGII III. c. 6.

Commissionto determine who are intirewards; who are impowered to call for journals, books, &c.

Commissioners to grant c. raficates upon proof made of difcovery, &c.

miffioners of the treasury to pay the reward.

All claims to the rewards to be made within fix months after arrival at any port in Great Britain or Ireland.

rewards by this act respectively given do belong; be it further enacted by the authority aforesaid, That the commissioners appointed ers appointed for the purposes of the said act of the eighteenth of George the Second, and also such other persons as for the time being are tled to the faid commissioners for the discovery of the longitude at sea, be, and they are hereby appointed commissioners for the purposes of this present act; and are hereby authorised and impowered to call for the respective journal or journals, book or books, and papers, kept on board the respective ship or ships, vessel or vessels of the claimant or claimants respectively, and also to examine, upon oath, all such persons as they the said commissioners shall think proper with regard to any claim or claims, as well as any person or persons produced by the respective claimant or claimants of the respective rewards given as aforesaid by this act; (which oath the faid commissioners, or any three or more of them, are hereby impowered and required to administer:) and the said commissioners, or the major part of those that shall meet (such major part, nevertheless, at all times consisting of thirteen commissioners at the least, of which the lord high admiral, or first commissioner for executing the office of lord high admiral of Great Britain for the time being, and the royal astronomer of Greenwich for the time being, shall be two) being fully satisfied, upon examination and proof, that such northern passage by sea into the Pacific ocean is effectually discovered, and sailed through as aforesaid, and that such approach towards the northern pole, as aforesaid, has been then first actually made by sea, or that either the one or the other has been fully accomplished within the meaning of this act, as the case may be, are hereby authorised and required to grant a certificate or certificates accordingly, under their hands and feals, to fuch person or persons as on producing they shall judge are intitled to the same respectively; which cerwhereof, com- tificate or certificates shall be produced to the lord high treafurer or any three or more of the commissioners of the treasury for the time being, and the said sum of twenty thousand pounds, and the faid fum of five thousand pounds, or the one or the other, as the case may be, shall be respectively paid to such perfon or persons as are named in the said certificate or certificates respectively, his, her, or their executors, administrators, or assigns, out of any the aids or supplies which shall be granted in parliament to his Majesty, his heirs, or successors, after the faid discovery of the said northern passage into the Pacific ocean, and the faid approach to within one degree of the northern pole, or the one or the other, as the case may be, shall be made, effectuated, and proved, and the faid certificate produced as aforelaid.

IV. Provided always, and be it further enacted by the authority aforesaid, That the respective claim or claims on behalf of any ship or ships, vessel or vessels, unto the rewards given by this act, or either of them, shall be made respectively, and entered with, or be by letter fignified to, the secretary of the lord high admiral, or first commissioner for executing the office of

lord



## 1776.] Anno decimo fexto Georgii III. c. 7, 8.

lord high admiral of Great Britain for the time being at the admiralty office in London, within fix months from the time that fuch ship or vessel, ships or vessels, shall have arrived at any port of Great Britain or Ireland, otherwise the respective claimant or claimants shall not be intitled to receive, nor shall receive, either of the said rewards; any thing in this act contained to the contrary notwithstanding

the contrary notwithstanding.

V. Provided also, and be it further enacted by the authority aforesaid, That if the said rewards, or either of them, shall be proviso. claimed by and adjudged to the commander or commanders, officers and scamen of any ship or vessel, ships or vessels belonging to his Majesty, the same shall be disposed in favour of, and distributed among such commander or commanders, officers and seamen, in such proportions as shall be directed by his Majesty in council, and in no other manner.

### CAP. VII.

An act for the regulation of his Majesty's marine forces while on shore.

#### CAP. VIII.

An act for making perpetual so much of an act, made in the eighth year of his present Majesty's reign, intituled, An act to continue and amend an act, made in the fifth year of the reign of his present Majesty, intituled, "An act for importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time; and for allowing the importation of salted beef, pork, for a limited time," as relates to the importation of salted beef, pork, bacon, and butter, from Ireland: and also another act, made in the fifth year of his present Majesty's reign, intituled, An act to permit the free importation of cattle from Ireland.

THEREAS an act was made in the eighth year of his pre-Preamble. sent Majesty's reign, intituled, An act to continue and Acts 8 Geo. 3. amend an act, made in the fifth year of the reign of his present Majesty, intituled, An act for importation of falted beef, pork, bacon, and butter, from Ireland, for a limited time; and for allowing the importation of salted beef, pork, bacon, and butter, from the British dominions in America, for a limited time: and whereas the faid att has, by several subsequent acts, been continued to the thirtieth day of March, one thousand seven bundred and seventy-fix: and whereas and 5 Geo. 3. another all was made in the fifth year of his present Majesty's reign, recited. intituled, An act to permit the free importation of cattle from Ireland; which all bas, by another all made in the twelfth year of his present Majesty's reign, been further continued until the twentyninth day of September, one thousand seven hundred and seventyeight, and from thence to the end of the then next session of parliament: and whereas the said ast, made in the eighth year of his present Majesty's reign, so far as the same relates to the importation of salted beef, pork, bacon, and butter, from Ireland; and also the said att, made in the fifth year of his present Majefly's reign, have proved very beneficial: may it therefore please your Majesty that it may be enactact 8 Geo. 3.

as relates to

Ireland, and

3. made per-

petual.



Anno decimo fexto Georgii III. c. 8-10.

enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, Somuch of the and by the authority of the same, That so much of the said recited act, made in the eighth year of his present Majesty's reign, as relates to the importation of falted beef, pork, bacon, and butter, from Ireland; and also the said recited act, made in the the act 5 Geo. fifth year of his present Majesty's reign, shall be, and are hereby made perpetual.

### CAP. IX.

An act for the better relief and employment of the poor within the hundred of Forehoe, in the county of Norfolk.

### CAP. X.

An act to enable his Majesty to make leases, copies, and grants of offices, lands, and hereditaments, parcel of the dutchy of Cornwall, or annexed to the same; and for other purposes therein mentioned.

Preamble.

Leafes and grants made by letters patent or indentures, or by copy of court roll, within 7 years or hereditaments, parcel of the dutchy of Cornwall, or annexed thereto, declared to be good againit the crown; so as fuch leafes be not 3 lives, or 31 years; or a term determinable upon 3 lives at the most: and if in expectancy or reversion, not exceeding 3 lives, or 31 years, and io as the fame be not

dispunishable

of walte;

7 HEREAS his royal highness, George prince of Wales, now stands seized of the dutchy of Cornwall, and the possessions thereof: and whereas it is necessary to enable his Majesty to grant offices, and to make leases and grants, by copy of court roll, of lands, and hereditaments, parcel of the said dutchy, or thereunto annexed or belonging, during the minority of his royal highness; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, to come, of any and commons, in this present parliament assembled, and by the offices, lands, authority of the same, That all leases and grants, made or to be made, by letters patent, or indentures, under the seal of Great Britain, or seal of the court of exchequer, or by copy of court roll, according to the custom of the respective manors, within feven years next enfuing, of any offices, messuages, parks, lands, tenements, or hereditaments, (other than honours, lordships, or manors) parcel of the possessions of the said dutchy of Cornwall, or annexed to the same, shall be good and effectual in law, according to the purport and contents of the same copies, leases, and grants, against our sovereign lord the King, his heirs and for more than successors, his royal highness George prince of Wales, and against all and every other person or persons who shall at any time hereafter have, inherit, or enjoy, the faid dutchy by force of any act of parliament, or by other limitation whatsoever.

II. Provided always, That every fuch lease or grant so made, or to be made, be not for more than one, two, or three lives, or for one and thirty years, or under, or for some term of years determinable upon one, two, or three lives, or not above; and if fuch leafes or grants be made in reversion or expectancy, that then the same, together with the estates in possession, do not exceed three lives, or the term of one and thirty years, or some term of years determinable upon one, two, or three lives, and be not in any wife made dispunishable of waste; and so as upon every such lease or grant there be, or shall be, reserved the an-

cient



## 1776.] Anno decimo sexto Georgii III. C. 10, 11.

cient or most usual rent, or more, or such rent as hath been re- and the usual served, yielded, or paid, for the same lands, or hereditaments, for rent, the greater part of twenty years next before the making of the said leases or grants; and where no such rent hath been reserve or, where there ed or payable, that then, upon every such lease, there be, or was none beschall be, reserved a reasonable rent, not being under the twen- able rent be tieth part of the clear yearly value of the messuages, parks, reserved lands, tythes, tenements, or hereditaments, contained in such lease or grant; and all leases and grants otherwise made, or to be made, shall be null and void.

III. And be it further ordained and enacted by the authority aforesaid, That all covenants, conditions, reservations, and other The coveagreements, contained in every lease, grant, or copy of court such leases or roll, made or to be made, as aforesaid, shall be good and effectual in law, according to the words and contents of the same, ed good in as well for and against them to whom the reversions of the same law. lands, tenements, and hereditaments shall come, as for and against them to whom the interest of the said leases, grants, or copies shall come, respectively, as if our sovereign lord the King's majesty, at the time of making such covenants, conditions, and reservations, and other agreements, were seized of an absolute estate, in see simple, in the same lands, tenements, or hereditaments.

IV. Saving always, to all and every person or persons, bodies Reservation politick and corporate, their heirs, and successors, executors, ad- of rights. ministrators, and affigns (other than to our said sovereign lord the King, and his heirs and successors; and the duke and dukes of Cornwall for the time being, and his and their heirs; and all and every other person and persons that shall hereafter have, inherit, or enjoy, the faid dukedom of Cornwall, by force of any act of parliament, or other limitation whatfoever) all fuch rights, titles, estates, customs, interests, tenures, claims, and demands whatsoever, of what nature, kind, or quality soever, of, in, to, or out of, the said offices, lands, tenements, or hereditaments, or any of them, as they, or any of them, had or ought to have had before the making of this act, to all intents and purposes, and in as large and ample manner and form, as if this act had never been had or made; this act, or any thing herein contained to the contrary notwithstanding.

#### CAP. XI.

An act to continue an act made in the last session of parliament, intituled, An act to amend and render more effectual in his Majesty's dominions in America, an act, passed in the present session of parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters; and for extending the provisions of the said act to his Majesty's marine forces in America.

WHEREAS an act, passed in the fifteenth year of his pre Preamble.

Sent Majesty's reign, intisuled, An act to amend and render Act 15 Geo.

more recited,

160

Anno decimo sexto Georgii III. c. 12, 13. [1776. more effectual in his Majesty's dominions in America an act, passed in the present session of parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters; and for extending the provisions of the said act to his Majesty's marine forces in America; which all was to continue and be in force in all his Majesty's dominions in America, from the twenty-fourth day of March, in the year one thousand seven hundred and seventy-five, until the twenty-fourth day of March, one thousand seven hundred and seventy-seven: and whereas it has been found necessary that the said att should be continued for a further term; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act shall be, and the fame is hereby continued until the twenty-fourth day of March, in the year of our lord one thousand seven hundred and seventy-eight.

and further continued until March \$4, 1778.

### CAP. XII.

An all to continue, for a further time, an all, made in the seventh year of his present Majesty's reign, intituled, An all to discontinue, for a limited time, the duties payable upon the importation of tallow, hogs-lard, and grease.

Preamble.
Act 7 Geo. 5.
recited,

WHEREAS an act of parliament, possed in the seventh year of the reign of his present Majesty, (intituled, An act to discontinue, for a limited time, the duties payable upon the importation of tallow, hogs-lard, and grease:) and whereas by two alls, made in the tenth and thirteenth years of his present Majesty's reign, the faid att had been continued until the twenty-fifth day of March, one thousand seven hundred and seventy-fix: and whereas the allowing the importation of tallow, hogs-lard, and grease, for a further time, duty free, may be of great advantage; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act of the seventh year of his present Majesty's reign, and all and every the clauses, provisions, penalties, forfeitures, allowances, matters and things therein contained, shall be further continued from the expiration thereof, until the twenty-fifth day of March, one thousand seven hundred and feventy-nine.

and further continued until March 25, 1779.

#### CAP. XIII.

An act for the better securing a fund, belonging to certain persons of the theatre royal in Drury-lane, applicable to charitable uses; and for other purposes therein mentioned.

Preamble.

WHEREAS in or about the year one thousand seven hundred and sixty six, a contribution was begun at the theatre royal in Drury-lane, towards the charitable purpose of establishing a fund, for

tice



the support of such performers belonging to the said theatre as through age, infirmity, or accident, should be obliged to retire from the flage; the managers of which charity have since extended the same to the occasional relief of performers in case of sickness, and also to the relief and Support of the widows and children of deceased performers belonging to the said theatre: and whereas by the profits arising from several plays, a Eled for the benefit of the faid charity, and the voluntary contributions of the performers belonging to the Said company, and other persons, a fund, to the amount of four thousand pounds, or thereabouts, is now in the hands of certain trustees applicable to the purposes aforesaid: to the end therefore that the money contributed as aforesaid, or which may hereafter be contributed towards increasing the said fund, may be applied to the purposes aforesaid, and to prevent, as far as may be, any misapplication or embezzlement thereof, may it please your Majesty that it may be enacted; and be it enacted by the king's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament affembled, and by the authority of the same, That, from and Subscribers after the passing of this act, all and every the subscribers to the incorporated. faid fund for the time being, during such time as he, she, and they, respectively shall pay to the same, shall be, and are hereby declared to be, one body corporate and politick, in deed and in name, and shall be called by the name of The Society established for Their name, the relief of indigent persons belonging to his Majesty's company of and powers. comedians of the theatre royal in Drury-lane: and by the fame name they shall have perpetual succession and a common seal; and that they, and their successors, by the same name may sue and be fued, implead and be impleaded, answer and be answered unto, in all or any court or courts of record, and places of judicature, within this kingdom of Great Britain: and that they, and their successors, by the name aforesaid, shall be able and capable in law to have, hold, receive, enjoy, possess, and retain, for the purposes aforesaid, all and every such sum and sums ot money as have been paid, given, devised, or bequeathed, or shall at any time or times hereafter be paid, given, devised, or bequeathed, to and for the ends and purposes herein-before mentioned; and that they, and their successors, by the name aforefaid, shall and may at any time hereafter, without licence in mortmain, purchase, take, or receive, hold, and enjoy, any lands, tenements, or hereditaments, not exceeding the yearly value of five hundred pounds.

II. And be it further enacted, That, from and after the pas- Directors apfing of this act, Thomas King, John Packer, John Moody, James Pointed; Aikin, James William Dodd, Robert Baddeley, Francis Waldron, Richard Hurft, William Brereton, James Wrighten, William Parfons, John Palmer, and William Davies, shall be, and they are hereby appointed, directors for managing the faid fund, until the fifth day of April, which shall be in the year of our Lord one thousand seven hundred and seventy-seven: and that the said who may after directors, and their successors, to be elected in manner herein-seal, &c. after mentioned, or the majority of such directors for the time

beings

Anno decimo sexto Georgii III. c. 13. 11776.

make byelaws,

being, shall have full power and authority, from time to time, to dispose of the said common seal, and to alter or make new the same, and to direct the use and application thereof; and to make, ordain, and constitute, such and so many bye-laws, constitutions, orders, and regulations, as to them, or the major part of them, shall seem necessary and convenient for the appropriation of the faid fund, or touching, or in anywife concerning the affairs and business of the said corporation; and the same bye-laws, constitutions, orders, and regulations, so made, to put in use and enforce accordingly, and at their will and pleasure to revoke, change, and alter the same, or any of them: which said byelaws, constitutions, orders, and regulations, so as aforesaid made, shall be duly kept and observed by the said corporation, and every member thereof, provided the same be reasonable, and not contrary or repugnant to the statutes, customs, or laws of this kingdom, or the true intent and meaning of this act.

and appoint officers.

III. And be it further enacted, That the said directors may, and are hereby impowered to appoint a treasurer or treasurers, and such other officers as they shall think necessary for the purposes of this act; and shall and are hereby required to take such fecurity from their treasurer or treasurers as a majority of the faid directors shall think proper.

IV. And be it further enacted, That such subscribers to the

First election of directors.

Manner of election.

faid fund as may hereafter be entitled to receive any benefit therefrom, shall meet together at some convenient place, in or near the said theatre, on the twenty-fifth day of March which shall be in the year of our Lord one thousand seven hundred seventy-seven, or within ten days after, for electing directors for the year ensuing; and that previous to such election, the names of all the directors for the time being shall be written on distinct pieces of paper, being all of an equal fize, and rolled up in the fame manner, as near as may be, and shall be put into a box, or some other convenient receptacle, and shall be shaken together, after which some person, not interested in such election, shall draw out the said names one by one, until the number remaining in the faid box or receptacle shall be reduced to fix, and the fix persons whose names shall so remain shall be fix of the directors for the ensuing year; after which the said subscribers present shall proceed to elect seven other persons from amongst themselves, (either such as were, or were not directors for the preceding year); and the seven persons so elected, together with the fix persons whose names remained undrawn, as aforesaid, shall be the directors for putting this act in execution for the Elections to be year next ensuing: and the faid subscribers shall also meet together on the twenty-fifth day of March, or within ten days after, in every succeeding year, and elect directors, in manner before-mentioned, for the year then next enfuing : and in case any one or more of the said directors hereby appointed, or to be elected in manner aforesaid, shall die, or refuse to act in the execution of this act, the said subscribers shall and may meet together, at some convenient place, in or near the said theatre, and

R63



elect a director or directors in the room and stead of the director or directors so dying or refusing to act as aforesaid; and every director so to be elected, in any or either of the cases aforesaid, shall have the same powers and authorities, for the purposes of carrying this act into execution, as the directors herein and hereby nominated and appointed are invested with.

V. Provided always, and be it further enacted, That notice Notice in of every such election shall be affixed in writing, in some con- writing to be Spicuous part of the said theatre, for three days at the least, im- affixed in the mediately preceding such election; and that all elections shall be days before decided by a majority of votes; and that every subscriber to the election.

faid fund shall have a right to vote in every such election.

VI. Provided also, That at every annual election of directors A majority of for the purposes of this act, a majority of the directors for the directors to ensuing year shall confist of persons belonging to, or employed belong to the at, the faid theatre.

VII. And be it further enacted, That this act shall be ad-Publick act. judged, deemed, and taken to be a publick act; and shall be judicially taken notice of as fuch by all judges, justices, and other persons whomsoever, without specially pleading the same.

## CAP. XIV.

An act for rectifying mistakes in the names of several of the commissioners appointed by an act, made in the last session of parliament, to put in execution an act made in the same session, intituled, An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and seventy-five; and for appointing other commissioners, together with those named in the first-mentioned act, to put in execution an act of this session of Parliament, for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and feventy-fix.

#### CAP. XV.

An act for the better maintaining, regulating, and employing the poor within the parish of Saint George, in the county of Middlesex; and for cleanfing and lighting the squares, threets, lanes, alleys, courts, yards, and other open passages and places; and for keeping and regulating a nightly watch within such parts of the said parish as are not within the liberty of the tower of London.

#### C A P. XVI.

An act for enlarging the term and powers, granted by three acts of parliament, for laying a duty of two pennies Scots upon every pint of ale and beer brewed and vended within the town of Dundee, and the liberties and suburbs thereof, for the purposes in the faid acts mentioned.

#### CAP. XVII.

An act for building a bridge across the river Severn from Benthall, in the county of Salop, to the opposite shore at Madely wood, in the said county; and for making proper avenues or roads to and from the fame.

#### CAP. XVIII.

An act for enlarging the term of letters patent granted by his present Majefty to Elizabeth Taylor of the town of Southampton, widow, for the fole use and exercise of certain engines, tools, instruments, and other apparatus, for making blocks, theavers, and pins, used in the rigging of thips. VOL. XXXI.

¥64



Anno decimo ferro Groron III. c. 19,10.

Preamble. His Majesty's royal letters patent to Elizabeth Taylor of Southampton, widow. All the powers, privileges, &c. contained in the before-recited letters patent, by this act granted to Walter Taylor, his executors, &c. for a further term of 14 years. Specification of improvements to be involted in the court of Chancery within 4 months, otherwise this act to be void. Walter Taylor to grant licences, &c. on certain conditions. Publick act.

> CAP XIX.

An act for defraying the charge of the past and cloathing of the militia in that part of Great Britain called England, for one year, beginning the twenty-fifth day of March, one thou and seven hundred and seventy-fix.

CAP. XX.

An act for the better supply of mariners and seamen to serve in his Majesty's ships of war, and on board merchant ships, and other trading ships and vessels.

OR the better supply of mariners and seamen to serve in his Majesty's ships of war, and on board merchant ships and other trading ships and vessels; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament From the pas- assembled, and by the authority of the same, That from and after the passing of this act, until the twenty-fifth day of March, one thousand seven hundred and seventy-seven, and no longer, (except in respect to such merchant ships, and other trading ships or vessels, which shall be on their voyage before the said twenty-fifth day of March, one thousand seven hundred and feventy-seven, who shall be and are hereby allowed the liberty and benefit of returning home navigated in the manner as herein-after is provided), it shall and may be lawful for any merchant ship or other trading ship or vessel, to be navigated by foreign seamen or mariners, not being natives of Great Britain, or of any of the colonies or plantations thereto belonging, or his Majesty's natural or naturalized subjects, so as the number of fuch foreign seamen or mariners do not exceed threefourths of the mariners at any one time employed to navigate fuch merchant ship or other trading ship or vessel; and that onefourth at least of the mariners or seamen so employed be, at all times, natives of his Majesty's naturalized subjects of Great Britain; (sudden death, and hazard and casualties of war, and the seas, saved and excepted); one act of parliament, made in the twelfth year of the reign of his late majesty King Charles the Second, (intituled, An all for the encouraging and encreasing of shipping and navigation,) or any other statute or law to the contrary notwithstanding.

al proclamation, &c.

fing of this

chant thips,

&cc. may be

foreigners.

navigated with 3-4ths

act till March

25, 1777, mer-

II. Provided always, That nothing in this act contained shall to restrain his extend to take away or restrain the effect of any such royal pro-Majesty's roy- clamation as his Majesty, his heirs and successors, are impowered to make by virtue of an act, passed in the thirteenth year of his late Majesty's reign, intituled, An act for the better supply of mariners and seamen to serve in his Majesty's ships of war, and on board merchant ships, and other trading ships and privateers.

CAP.



## CAP. XXI.

An act to amend an act, passed in the third year of his late Majesty's reign, intituled, An act for making navigable the river Stroudwater, in the county of Gloucester, from the river Severn, at or near Framiload, to Wall-bridge, near the town of Stroud, in the same county; and for giving other powers, for the purpose of making a navigation from Framiload to Wallbridge aforesaid.

#### CAP. XXII.

An act for rebuilding the parish church of Tardebigg, in the counties of Worcester and Warwick.

## CAP. XXIII.

An act for the better regulation and government of the pilots conducting thips and vessels into and out of the port of Boston, in the county of Lincoln; and for affixing and setting down mooring posts upon the banks or high marshes within or adjoining to the haven and harbour of the said port; and for affixing and laying down bridges over the creeks upon the high marshes within or adjoining to the said baven and barbour; and for preventing mischiefs by fire in the said haven and harbour.

Preamble. Letters patent granted to the corporation by Queen Elizabeth, recited. Commissioners appointed. First meeting. General meeting to be held annually. Mayor to have the cafting vote. Commissioners to defray their own expences. How to proceed if mayor neglect his duty. New commissioners to be chosen in the room of those dying, &c. Commissioners, after due examination, to grant licences to pilots. Penalty on persons acting as pilots without licence. Exception, in favour of coal barges, and vessels in diffress. Rates of pilotage ascertained. Foreign vessels to pay double rates. Additional rates. Additional rates restricted, &c. Extraordinary allowance for piloting veffels from The Knockbuoy, &c. Commissioners to ascertain what part of the pilotage shall be paid for the hire of floops, &c. Commissioners impowered to make byelaws, &cc. and to impose a penalty of 51. on aggressors. Pilots may be suspended for breach of bye-laws, &c. Bye-laws to be printed, with a list of the pilots and their fees. If pilots mibehave, commissioners may vacate their licences, &c. Pilots, though refused to be taken on board, to be paid their usual fee. Mafter to give the pilot true draught of ship, &c. on penalty of 40s. Manner of proceeding in case pilot suspect the mafter's account. Disputes to be settled by the mayor, &c. Pilotage of ships outward bound to be secured, or pilot may retuse to take the charge. On nonpayment of pilots rates, the mayor, &c. may diffrain. Penaity for heating pitch, &c. on board any ship in the port, or the limits thereof. Mayor or justice to hear and determine offences. If penalty not paid on demand, to be levied by diffress. If no goods can be found, offender to be committed. Application of penalties. Power to mitigate penalties. Persons aggrieved may appeal to the sessions, whose determination shall be final. Proceedings not to be quashed for want of form. Form of conviction. Commissioners to affix and let down mooring-posts, &c. and to !ay down bridges over the creeks. Affixing mooring-polts and bridges restricted to certain places. No mooring-posts, &c. to prejudice any works executed under the drainage act of a Geo. 3 Additional rates to be taken after June 24, 1776. Coais, &c. to be delivered within the diffricts of Wainfleet, &c. exempted from the tonnage. Commissioners impower. ed to borrow 2000l. and to affign the duties as a security. Affignments to be entered in a book, &c. Assignments may be transferred. Form of transier. Commissioners may appoint officers, and allow them fala ies. Treasurer and collector to give security. Officers to settle accounts, and pay the balance, when required by commissioners Any officer refusing to account, &c. to be committed. Commissioner holding any office of N2 profit



#### Anno decimo sexto Georgii III. c. 24. [1776.

profit under this act, not to act as such. How collector, &c. to proceed in case of vessels departing without paying duties. King's ships of war, &c. exempted from duties. Mooring posts and bridges to be kept in repair. Application of the duties arising by this act. Extent of the harbour and haven, &c. Writings to be without stamps. This act not to affect the Trinity House of Kingston, &c. Saving of rights. This act not to prejudice the works of Black Sluice commissioners. Distress not to be deemed unlawful for want of form, &c. Plaintiff not to recover it tender of amends be made. Limitation of actions. General issue. Treble costs. No action shall be brought till after one month's notice. Publick act.

#### CAP. XXIV.

An all for vesting certain estates, now held in trust for the benefit of the royal hospital for seamen at Greenwich, in the commissioners and governors of the said hospital, incorporated by his Majesty's letters patent.

Preamble. Recital of letand Queen Mary, dated fixth year of their reign, granting to fir piece of ground,&c.In East Greenwich, &c.

WHEREAS their late majesties King William and Queen Mary, by letters patent under the great seal of Great Briters patent of tain, bearing date the twenty-fifth day of October, which was in the sixth year of their reign, did give and grant unto sir John Somers knight, then keeper of the great feal, and fundry other persons therein Oct. 25, in the named, a certain piece or parcel of ground, with a capital messuage erected thereon, situate and being within the parish of East Greenwich in the county of Kent, in the said letters patent particularly John Somers, mentioned and described, to hold to the said sir John Somers and the and others, a other grantees, their heirs and affigns for ever, to be holden of the crown as of its manor of East Greenwich in free and common foccage by fealty only and without rent, to the intent that the premises Should be converted into an hospital for the relief of Seamen of the royal navy incapable to maintain themselves, their widows and children, and for the encouragement of seamen and improvement of navi. gation; and that so soon as the buildings should be finished, and the crown should establish a corporation for the government of the said hospital, the said grantees, and the survivors of them, his or their heirs and affigns, should, by appointment of the crown, convey the premises unto fuch corporation : and whereas their late majesties Queen Anne, King George the First, and King George the Second, and his present Majisty, did severally grant unto certain persons several commissions, enabling them to prosecute and complete the building of the faid hospital, and did also grant several powers for the management thereof; but no corporation for the purpose aforesaid was established until the fixth day of Deceniber now last past; and whereas the several grantees named in the faid letters patent have long fince departed this life, and it cannot be discovered at this distance of time who was the furvivor of the faid grantees, or in whom the legal effate of and in the faid piece or parcel of ground and capital messuage, in the said letters patent mentioned and discribed, is now vested: and whereas, in profecution of the scheme for building the faid hospital, and providing fuitable accommodations thereto, it became necessary to purchase fundry messuages, lands, tenements, and bereditaments, adjoining to the before-mentioned piece or parcel of ground and capital melluage; and fuch meffuages, lands, tenements, and hereditaments, no corporation being



## 1776.] Anno decimo sexto Georgii III. c. 24.

being then established, were conveyed at divers times to sundry persons, who were then commissioners or governors of the said hospital, for the use thereof, by means whereof the legal estates of and in such purchased premises became and are now vested in many persons, some of whom are wholly unconnected with the affairs of the faid hospital, and others of them, from the great effluxion of time since such purchases were so made, cannot now be discovered: and whereas by an act of parliament, made and passed in the twenty-second year of the reign of his Recital of act late majesty King George the Second, intituled, An act for vesting 22 Geo. II. for the several estates of James late earl of Derwentwater, and Charles estates of the Ratcliffe deceased, comprised in several settlements therein men- late earl of tioned, in trustees, for an absolute estate of inheritance for the be- Derwentwanefit of the royal hospital at Greenwich, and for raising certain ter, and Cha. fums of money, out of part of the said estates, for the relief of Radcliffe, in the children of the said Charles Ratcliffe; after reciting as therein the benefit of is recited, it was enacted, That the barony, manor, or lordship of Greenwich Langley, with the rights, members, and appurtenances thereof, in the hospital, &c. county of Northumberland, and also all those the manors of Whittingstall alias Quittingstall, and Newlands, Dilston alias Develston, Aydon-Shields, Warke, Elrington, and Meldon, and every of them, with their and every of their rights, members, and appurtenances, in the faid county of Northumberland, and all thefe manors or reputed manors of Spindleston, Utchester, Throckley, Coastley, Middleton-Hall, East Thornton alias Thornton East, Westwood, and Thornborough, and every of them, with their and every of their rights, members, and appurtenances, in the said county of Northumberland; and also all that the advowson of the church of Symondburne, with the appurtenances, in the faid county of Northumberland; and also all those manors or reputed manors of Castlerigg and Derwentwater alias Keswick and Thornthwaite, with their and every of their rights, members, and appurtenances, in the county of Cumberland; and also all that the manor of Scremerston, with the rights, members, and appurtenances, in the county palatine of Durham; and also all and singular the messuages, granges, farms, lands, meadows, pastures, feedings, woods, underwoods, tenements, and hereditaments what soever, late the estates of the faid James earl of Derwentwater, or whereof he was seized of any estate of inheritance in possession, reversion, remainder, or expessancy, situate, lying, or being in the said counties of Northumberland and Cumberland, and county palatine of Durham, and every of them, with their appurtenances, which, by certain indentures of leafe and releafe therein recited, bearing date the twenty-third and twenty-fourth days of June, one thousand seven hundred and twelve, were settled, limited, and asfured to the uses in the said indenture of release of the twenty-fourth day of June, one thousand seven hundred and twelve, mentioned, and the reversion and reversions, remainder and remainders, rents, issues, and profits, of all and fingular the same premises should, from and immediately after the death of the faid Charles Radcliffe in the faid att named, be, and be deemed to have been, divested out of his then Majesty, his beirs and surcesfors, and settled upon and vested in, and the same were thereby from thenceforth settled upon and vested in, the most noble Charles



Anno decimo sexto Georgii III. C. 24. [1776. Charles duke of Richmond and Lenox, and the right honourable Henry Fox esquire, their beirs and affigns, freed, acquitted, and absolutely discharged, of, from, and against all and every the uses, estates, and limitations, in and by the said indenture of release or settlement, dated the twenty fourth day of June, one thousand seven bundred and twelve, limited and created of and concerning the same, to and for the first and other sons of the said Charles Radcliffe, and the issue male of such first and other sons, and freed and absolutely discharged of and from all such right, title, estate, interest, claim, and demand, as was vested in his said Majesty, his heirs and successors, by virtue of the several attainders in the said all mentioned, or of the several acts of parliament in the said act recited, or any of them; and also freed and absolutely discharged of and from all such right, title, estate, interest, claim, and demand, as was vested, or that might or could accrue or belong to his faid late Majesty, his heirs or successors, by reason or means of James Bartholomew Radcliffe and James Clement Radcliffe, in the faid all named, or either of them, having been born out of the dominions of the crown of Great Britain, or otherwise how soever, (save as therein after was saved) to the use of them the Said Charles duke of Richmond and Lenox, and Henry Fox, their executors, administrators, and offigns, for and during, and unto the full end and term of five hundred years, to be computed from the day of the death of the Said Charles Radcliffe, and from thence next ensuing and fully to be compleat and ended, without impeachment of waste; and, from and after the end, expiration, or other sooner determination of the said term, then to and for the only proper use and behoof of the right honourable Archibald Hamilton efquire, commonly called Lord Archibald Hamilton, Charles Smith esquire, James Gunman esquire, sir John Thompson knight, sir James Creed knight, Peter Burrel! efquire, William Fawkener efquire, William Baxter esquire, Edward Vernon esquire, Thomas Ripley esquire, doctor David Cockburn, James Spilman esquire, William Allix esquire, Fitzwilliam Plumptre esquire, William Young esquire, and captain Francis Dansays, then being sixteen of the commissioners or governors and directors of the said royal hospital for seamen at Greenwich, their beirs and affigns for ever; in trust nevertheless, for themselves and the rest of the commissioners or governors and directors for the time being of the said royal hospital, for the uses and purposes following; (that is to fay,) In the first place, for and towards the finishing and compleating the building of the said royal hofpital; and after the building of the same should be compleased and finished, for and towards the Support of the Said royal hospital, and for the better maintenance of the seamen of the said hospital worn out and become decrepted in the service of their country: and it was thereby further enacted, that the manor and lordship of Alstone alias Alstone Moore, and Garrigill, and all and every the rights, members, and appurtenances thereunto belonging, in the Said county of Cumberland, and all these the two parts (the whole into three parts to be divided) of the manor and lordship of Newton Hall in the said county of Northumberland; and all that the moiety or one half part of the village er township of Buteland, in the parish of Chollerton and county of



## 1776.] Anno decimo fexto GEORGII III. C. 24.

Northumberland; and all those the rectories or parsonages of Kirke-Welpington, Harburne alias Hartburne, and Midford in the faid county of Northumberland; and all and fingular the messuages, tithes, farms, lands, tenements, and hereditaments what soever, situate, lying, and being in the said county of Northumberland, which, by certain other indentures of lease and release, bearing date the twentythird and twenty-fourth days of March, one thousand six hundred and ninety-one, in the said att mentioned, were settled, limited, and assured to the uses in the said indenture of release, of the twenty-fourth day of March, one thousand six hundred and ninety-one, mentioned; and which by virtue of the several attainders in the said att mentioned, and of the several acts of parliament in the act now reciting re-Spectively recited, or some of them, did then remain vested in his said late Majefly, his heirs and successors, subject to such appropriation of the rents and profits thereof for the use and benefit of the said royal hospital at Greenwich as in the act now reciting is mentioned; and the reversion and reversions, remainder and remainders, rents, issues, and profits, of all and fingular the said last-mentioned premises, should from thenceforth be divested out of his said late Majesty, his heirs and successors; and the same should be, and should be deemed to be, and they were accordingly from thenceforth settled upon, and visted in, the said Archibald Hamilton, Charles Smith, James Gunman, sir John Thompson, sir James Creed, Peter Burrell, William Fawkener, William Baxter, Edward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumptre, William Young, and Francis Dansays, their heirs and assigns, to the use of them, their heirs and assigns, for ever, in trust nevertheless, for themselves and the rest of the commissioners or governors and directors for the time being of the said royal hospital, for and towards the finishing and compleating the building of the said royal hospital, and, after the building of the same should be compleated and finished, for and towards the support of the said royal hospital, for the better maintenance of the seamen of the said hospital worn out and become decrepid in the service of their country, freed and absolutely discharged of and from all such right, title, estate, interest, claim, and demand, as was vested in his said Majesty, his heirs and successors, by virtue of the several attainders in the all now reciting mentioned, or of the several acts of parliament therein also recited, or any of them, or otherwife how soever, and freed and absolutely discharged of and from all such right, title, estate, interest, claim, or demand, as any other person. or persons what soever then had, or might, or could have had, in or to the said last-mentioned manors, me Juages, lands, tenements, and hereditaments, or in or to any part or parcel thereof, upon any account what soever, save as therein after is mentioned: and it was thereby also enacted, That the said Archibald Hamilton, Charles Smith, James Gunman, sir John Thompson, sir James Creed, Peter Burrell, William Fawkener, William Baxter, Edward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumptre, William Young, and Francis Dansays, their heirs and affigns, should, in trust as aforesaid, but Subject to the term of five bundred years, (as to the premises comprijed N 4



Anno decimo fexto Georgii III. c. 24. [1776.

prised in the said settlement of the twenty-fourth day of June, one thousand seven hundred and twelve, and as the same was therein-before created and limited,) hold and enjoy all and singular the manors, lands, tenements, and hereditaments, comprised in the said settlements of the twenty-fourth day of March, one thousand fix hundred and ninety one, and twenty-fourth day of June, one thousand seven hundred and twelve; and which were therein-before vefted, or mentioned to be vested, in the said Archibald Hamilton, Charles Smith, James Gunman, sir John Thompson, sir James Creed, Peter Burrell, William Fawkener, William Baxter, Edward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumptre, William Young, and Francis Dansays, and the same should be, and be deemed to be, held of the said late King's majesty, his heirs and successors, as of his said late Majesty's manor of East Greenwich in the county of Kent, by free and common soccage tenure; but nevertheless the said manors, lands, tenements, and hereditaments, should be, and should be deemed to be, Subject to Such quit-rents, crown rents, and dutchy-rents, iffuing thereout respectively, as the same were respectively liable to on the twenty-third day of June, one thousand seven hundred and fifteen: and it was thereby also enacted and declared, That the then present or ers or governors accounta- future commissioners or governors and directors of the said royal bospihle to the hof- tal at Greenwich, or any of them should not be answerable or accountable to any person or persons, other than to the said royal hospital, for pital only for or in respect of all or any part of the rents, issues, and profits, of the said manors, lands, tenements, and hereditaments, comprised in the indentures of lease and release of the twenty-third and twenty-fourth days of June, one thousand seven hundred and twelve, in the said att recited, which had accrued or become due from the death of the said Charles Radcliffe, and which had then already been, or Thould thereafter be received by them, or any of them, except by laying such account's before his Majesty and both houses of parliament, as by a certain all, of the eighth year of his said late Majesty's reign, is directed; but that all such rents, issues, and profits, and all fines and sums of money which had accrued or become due or payable from the death of the said Charles Radcliffe, should be appropriated and applied to the uses and for the purposes in the said act, of the eighth year of his said late Majefly's reign, mentioned, and in the all now reciting mentioned; nevertheless, that they the said commissioners or governors and directors for the time being, should from time to time lay the accounts of their receipts, payments, and disbursements, before his Majesty and both bouses of parliament, as by the said recited act, of the eighth year of his faid late Majesty, is directed, as well with respect to the manors, lands, and hereditaments, comprised in the said settlement of the twenty fourth day of June, one thousand seven hundred and twelve, as with respect to the manors, lands, and hereditaments, comprised in the Said Settlement of the twenty-fourth day of March, one thousand fix bundred and ninety-one; and after reciting, that by reason of the limitation therein-before made to the said Archibald Hamilton, Charles Smith, James Gunman, sir John Thompson, sir James

Creed, Peter Burrell, William Fawkener, William Baxter, Ed-

Exception.

profits of

lands, &c.

Commission-



## 1776.] Anno decimo sexto Georgii III. c. 24.

ward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumptre, William Young, and Francis Dansays, of the said minors, lands, tenements, and heredituments, in manner aforefaid, a doubt might be made whether the tenants of the said estates ought from thenceforth to do such acts and Services, and pay such fines and sums, as, by the nature and tenure of their estates, founded upon immemorial usage and custom or otherwise. they would be to have done and performed and paid on the death of any lord thereof, in case the limitation of the said manors, lands, tenements, and hereditaments, was made to a particular person only and his heirs; in order to make the like provisions as were made by the act of the eleventh year of his said late Majesty's reign, for obliging the tenants of the said estates to do such acts and services, and to pay such fines and sums of money as aforesaid, it was further enacted, That upon the death of Upon the his said late Majesty, and also upon the death of every successive King death of his late Majesty, and Queen of this realm, all such alls and services should be done and &c. enacted. performed, and all such fines and sums of money should be paid by the that services respective tenants of the said estates to the said commissioners or gover- be done, and nors and directors for the time being of the Said royal hospital at Green-fines paid, by wich, as by the ancient tenure thereof, or by any contract, law, usage, agreeable to or custom, ought to be done, performed, and paid by them, in case the ancient te-Said manors, lands, tenements, and hereditaments, had continued to be, nure. or were actually vested in his said late Majesty, his heirs and succesfors; and that he and they were to be considered as private persons only, and not in their politick capacity; and for default of performance of Such acts and services which ought so to be done and performed, ana for default of payment of any such fines and sums of money which ought So to be paid, such forfeitures and penalties should accrue and become due, and it should be lawful for the faid commissioners or governors and directors for the time being of the said royal hospital, in the name of any one of them, to use and take all such ways and means for recovering and taking advantage of the said forfeitures and penalties as might be lawfully used or taken by his Majesty, his heirs and successors, in case the faid manors, lands, tenements, and hereditaments, had continued to be or were actually vested in his faid Majesty, his heirs and successors, and that he and they were to be considered as private persons only, and not in their politick capacity; any law, usage, or custom, to the contrary notwithstanding: and it was thereby also surther enacted, That the said Archibald Hamilton, Charles Smith, James Gunman, fir John Thompson, William Fawkener, and William Baxter, and the survivors and survivor of them, and the executors and administrators of Such survivor, should stand possessed of and interested in the barony, manors, lands, and hereditaments, by two several indentures, both bearing date the fixteenth day of February, one thousand seven hundred and forty-eight, in the act now reciting particularly mentioned, respectively bargained, sold, and assigned unto the said Archibald Hamilton, Charles Smith, James Gunman, fir Edward Bellamy, fir John Thompson, William Fawkener, and William Baxter, their executors, administrators, and affigns, for and during all the reft, residue, and remainder then to come and unexpired, of the feveral terms of five hundred years and five hundred years in the same index -



## Anno decimo sexto Georgii III. C. 24.

indentures mentioned; and that they the said Archibald Hamilton,

Charles Smith, James Gunman, sir John Thompson, William Fawkener, and William Baxter, and the survivors and survivor of them, and the respective heirs, executors, and administrators, of fuch survivor, should stand seised and possessed of and interested in the fum of three thousand pounds in the act now reciting mentioned, and the barony, manors, lands, and hereditaments, charged with the payment thereof, in trust, for the commissioners or governors and directors for the time being, of the faid royal hospital at Greenwich, and to the intent that the faid last-mentioned terms of five hundred years and five bundred years might attend and wait upon the freehold and inheritance of the premises therein respectively comprised, and by the act now reciting limited to the faid Archibald Hamilton, Charles Smith, James Gunman, sir John Thompson, sir James Creed, Peter Burrell, William Fawkener, William Baxter. Edward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumptre, William Young, and Francis Danlays, and to protest the same from all mesne incumbrances, if any should happen to be; but subject nevertheless, and without prejudice, to the faid term of five hundred years therein before limited to the faid Charles duke of Richmond and Lenox and Henry Fox, their executors, administrators and offigns, as aforesaid: and it was thereby further enacted, That it should and might be lawful to and for the ers or govern- commissioners or governors and directors, for the time being, of the faid royal hospital at Greenwich, or any seven or more of them, from time ors impowerto time, and at all times thereafter, to appoint stewards, receivers, or bailiffs, of the said manors, lands, tenements, and hereditaments, and to invest them with full power to receive and get in the rents, issues, and profits thereof, and to give receipts, discharges, and acquittances for the same, and to hold courts, and to do and perform all acts, matters, and things, necessary for the managing of the said premises, usually done and performed by flewards, receivers, and bailiffs, and alio to affign and allow such salaries and rewards to the said stewards, receivers, and bailiffs, as the faid commissioners or governors and directors of the faid royal hespital for the time being, or any seven or more of them, should think requisite and necessary in that behalf; and also that it should and might be lawful to and for the faid commissioners or governors and directors of the faid hospital for the time being, or any seven or more of them, from time to time, and at all times thereafter, to contrast for the fale of, and accordingly to make fale and dispose of, all or any fuch part or parts of the timber or timber trees on the faid estates, as they the faid commissioners or governors and directors, or any seven or more of them, should think fit, and to authorise and appoint any person or perfors to make any contract or contracts for the fale of all or any part or parts of such timber and timber trees, and to receive the purchase-money for the same, without being obliged to make any application for all or any of those purposes to his Majesty's court of exchequer, or to any person or persons what soever: and it was thereby also further enacted, That the money to arise by the sale of the said timber should be applied to the use of the said hospital; but so nevertheless as that no perfon or perfous who should purchase any part of such timber should be

and to fell

umb.r.

Commission-

ed to appoint

flewards, re-

centers, &c.



#### Anno decimo sexto Georgii III. c. 24. 1776.

answerable for the application of such purchase-money; and that it should and might be lawful to and for the faid commissioners or governors and directors of the Said hospital, or any seven or more of them, to direct the cutting down, from time to time, such timber and timber trees from off the said estates as they should at any time adjudge necessary or fitting to be used in the repairing any houses, tenements, buildings, or erections, on the faid estates, or to be used in the building any new houses, tenements, edifices, buildings, or structures, as they should judge fitting to be erceted on the faid estates, or should think it necessary or reasonable to build or erect for any tenants of the said estates, or for the benefit or improvement of the premises, or any part thereof: and it was Commissionthereby further enacted, That it should and might be lawful to and for powered to the commissioners or governors and directors for the time being of the grant leases of Said royal hospital at Greenwich, or any seven or more of them, from mines, lands, time to time, and at all times thereafter, to demise and grant all and &c. for 21 every or any of the mines of lead, coal, and other minerals, as well years. opened as not opened, within and under any of the aforesaid lands and premises, to any person or persons, for any term or number of years not exceeding twenty-one years, and to grant leases of all or any of the aforefaid manors, lands, tenements, and hereditaments, unto any person or persons for any term or number of years not exceeding twenty-one years, to take effect in possession, and not in reversion, reserving in every lease, demise, or grant of mines, such dues, rent or rents, and profits, as they Should judge most reasonable: and reserving on every other lease and demise the best yearly or other rents or dues which can be reasonably gotten for the same, without taking any fine, premium, or foregift; and that it should be lawful for the faid commissioners or governors and directors of the said hospital, or any seven or more of them, to grant in every such lease, demise, and grant of mines and minerals, to the respective adventurers, lesse or lesses of such mines and minerals, full power and liberty to win and work the same mines and minerals, and to do every other ransonable att and thing requisite and necessary for that purpose; but it was thereby enacted, That in every such demife and leafe there should be contained a condition of re-entry for nonpayment of the rent and rents thereby respectively to be reserved; and it should be requisite for the respective lesses to execute counterparts of all such demises and leases; and no clause should be contained in un, of the said demises or leases, other than in the demises or leases of the said mines or minerals, whereby to give power to any leffee to commit waste, or to exempt him, her, or them, from punishment for committing the same: and after recising that the fines, customs, and services, by and under which several of the tenants held their farms, lands, tenements, and estates, lying and being within several of the aforesaid manors, were agreed, afcertained, or expressed, in some articles, indenture, deed or writing, then or late in the cuflody or power of some of the faid tenants, which, if produced, might be a means to prevent difputes, differences, and suits, concerning the Said fines, customs, and fervices, and for the quiet and benefit both of the lord and tenants; and it might happen that such tenants might refuje to produce or shew such articles, indenture, deed, or writing, it was therefore enacted, That it should and might be lawful, to and for any seven or more of



## Anno decimo sexto GEORGII III. C. 24. [1776.

the commissioners or governors and directors of the said hospital for the time being, to apply to bis Majesty's court of Exchequer at Westminster, by a motion in a summary way, against any tenant or tenants bolding any farms, lands, tenements, or eflates, lying and being within the faid manors, or any of them, of whose having in his, her or their custody or power any such articles, indenture, deed or writing, probable evidence should be shewed to the satisfaction of the said court, for such tenant or tenants to produce and shew forth the same; upon which motion it should and might be lawful to and for the said court of Exchequer to examine and enquire into the said matter, and make such order or orders with respect to the producing and shewing forth any such articles, indenture, deed, or writing, by any fuch tenant or tenants appearing to the faid court to have the same in his, her, or their custody or power, and with respect to any copy or copies to be had and made thereof, and such other order and orders concerning the same, as the faid court should think proper and just: and it was thereby further enacted, That so soon as it should happen that so many of them the said Archibald Hamilton, Charles Smith, James Gunman, sir John Thompson, fir James Creed, Peter Burrell, William Fawkener, William Baxter, Edward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumpnew ones, &c. tre, William Young, and Francis Dansays, the trustees nominated and appointed in and by the said all, for and on behalf of the said commissioners or governors and directors of the said royal hospital at Greenwich, should happen to die, so as that the number of such truflees should be reduced to eleven, or to any lesser number, that then, and in that case, it should and might be lawful to and for the commissioners or governors and directors of the said hospital for the time being, or any seven or more of them, and they were thereby authorised and impowered at any time thereafter, by any deed or instrument in writing under their respective bands and seals, to be inrolled in his Majefly's high court of Chancery, to nominate such other persons as they the faid commissioners or governors and directors of the faid hofpital, or any seven or more of them, should think fit, in the place of such of the said trustees as should so happen to die; and that it should and might be lawful to and for the said commissioners or governors and directors of the said hospital for the time being, or any seven or more of them, and they were thereby authorised and impowered, from time to time, and at all times afterwards, when and so often as any other of the said trustees, or when and so often as any of such other persons as should be so nominated as aforesaid, or any other persons to be afterwards nominated in pursuance of the said att (which they were thereby authorised and impowered to nominate accordingly) should happen to die, by any fuch deed or instrument in writing as aforesaid, to nominate such other persons as they the said commissioners or governors and directors, or any seven or more of them, should think fit, in the place of all and every the per son and per sons so dying : and it was thereby also enacted and declared. That from and immediately after every such nomination, all and singular the manors, lands, tenements, and hereditaments, and powers, thereinbefore limited and given to the faid Archibald Hamilton, Charles Smith, James Gunman, sir John Thompson, sir James Creed,

Trustees impowered, fo foon as their numbershould be reduced to r, to chuse



## 1776.] Anno decimo fexto Georgii III. c. 24.

Peter Burrell, William Fawkener, William Baxter, Edward Vernon, Thomas Ripley, David Cockburn, James Spilman, William Allix, Fitzwilliam Plumptre, William Young, and Francis Danfays, and their heirs as aforesaid, should be well vested in the persons who from time to time should be so nominated as aforefaid, jointly with the survivors of the said trustees, or such other persons as aforefaid, and in their heirs, in trust, for the said commissioners or governors and directors of the said hospital, as fully and effectually to all intents and purposes as if the persons so to be nominated as aforesaid had been actually named in the act now reciting, and the the said manors, lands, tenements, and hereditaments, and powers, had been thereby limited and given to them and the survivors of the faid trustees, or such other persons as aforesaid, and their heirs: and whereas the persons, in whom the said manors, messuages, lands, tenements, and hereditaments were, by or by virtue of the Said act of parliament, vested, have been several times reduced to eleven or a less number, and thereupon appointments of new trustees have been from time to time made, executed, and inrolled in his Majesty's high court of Chancery, pursuant to the said att of parliament : and whereas the commissioners and governors of the said hospital, since the passing of the said all of parliament, have made some small purchases of lands, tenements, tithes, and hereditaments, in the counties of Northumberland. and Cumberland, and county palatine of Durham, for the better accommodation of the tenants of the manors, meffuages, lands, tenements, and hereditaments, comprised or mentioned in the said recited att of parliament; and fuch purchased premises have been conveyed to such persons as, at the several times of making such purchases, were trustees of the estates lately belonging to the said earl of Derwentwater and Charles Radcliffe, for the use of the said hospital: and whereas his Various letlate majesty King Charles the First, by his letters patent, bearing date ters patent on or about the thirteenth day of February which was in the twelfth Granted year of his reign, did appoint that certain light-houses which had been 12 Car. 1. erested by fir John Meldrum on the North and South Foreland. should be continued, and that he might alter, renew, remove, or change them, and that there should be collected from every vessel, whether belonging to subjects or strangers, passing by such light-houses, certain duties per ton, and gave several directions for collecting and getting in the same, and granted the said duties to the, said fir John Meldrum, his executors, administrators, and assigns, for fifty years from the date of the faid latters patent, under the rent of twenty pounds, payable into the Exchequer by half-yearly payments: and whereas his late majesty King Charles the Second, by his letters patent, bearing 23 Car. 2. date on or about the twenty-first day of July which was in the twentythird year of his reign, did grant the said duties to John Smith, equire, for the further term of thirty years, to commence from the expiration of the former grant to the faid fir John Meldrum: and whereas the said duties afterwards became the property of Robert Osholston esquire: and whereas her late majesty Queen Anne, by 3 Anna. her letters patent, bearing date on or about the first day of June which was in the third year of her reign, did grant the faid duties to the faid Robert Osbolston, for the further term of seventeen years, to com-

menco



Anno decimo sexto Georgii III. c. 24. [1776.

mence from the expiration of the former grant to the said John

3 Geo. 2.

Smith; and the said duties, together with three messuages or tenements situate on Saint Peter's Hill in the city of London, by virtue of the will of the said Robert Osbolston, bearing date on or about the tenth day of October which was in the year of our Lord one thousand seven hundred and seven, became the property of the said hospital: and whereas his late majesty King George the Second, by his letters patent, bearing date on or about the fourteenth day of July which was in the third year of his reign, did give and grant unto fir John Jennings, Joseph Soanes, Philip Cavendith, fir Gerrard Conyers, sir Edward Bellamy, sir John Thompson, sir Thomas Colby, Samuel Holden, William Fawkener, Baltzar Lyell, John Hanbury, Ralph Radcliffe, Nicholas Clarke, William Baxter, Sidney Godolphin, Charles Chamberlain, Edward Vernon, John Guy, William Collier, Jayes Sewell, Richard Moreton, Colin Campbell, Charles Vanburgh, and Joseph Bell, their executors, administrators, and affigns, full power and authority, at their own charges, with the advice of skilful scafaring men, to continue, maintain, erect, alter, renew, and change, the respective light-houses and lights upon the North and South Foreland; and did give and grant unto them, their executors, administrators, and assigns, certain duties payable for ships and other vessels having the benefit of the said light-houses and lights, with powers to collect the same, to hold to them, their executors, administrators, and assigns, for ninety-nine years, from the expiration, surrender, forfeiture, or other sooner determination, of the letters patent therein recited, and the grant thereby made to the said Robert Oibolston, in trust, for the sole use, benefit, and behoof, of the poor seamen of the said hospital: and whereas his preand 16 Geo. 3. fent Mojesty, by his letters patent, bearing date on or about the fixth day of December now last past, after reciting the letters patent granted by King William and Queen Mary, Queen Anne, King

Certain perfons, in the

their name.

corporated:

George the First, and King George the Second, for the founding, erecting, and managing the said hospital, as herein-before mentioned; and also reciting, that it had been found that the powers contained in the faid recited letters patent had not been competent for the collecting, receiving, and applying, the revenues, rents, profits, and emoluments, given, appropriated, and belonging, or which might thereafter be given, appropriated, or belong to, or to the use of the said hospital, and had also been found insufficient for other necessary and beneficial purposes, whereby great inconveniences and losses had happened to the faid hospital, did ordain, appoint, and establish, That certain persons, in the letreciting patent ters patent now reciting named and described, should for ever thereafter described, in- be, by virtue of the faid letters patent, one body politick and corporate, in deed and in name, by the name of The commissioners and governors of the royal hospital for seamen at Greenwich in the county of Kent; and did also give fundry powers to such corporation for the better regulation and management thereof: and whereas great inconveniences will arise to the said corporation in case the legal estates of and in the piece or parcel of ground, capital melluage, and other meffuages, lands, tenements, and hereditaments, herein-before mentioned to be situate, lying, and being at Greenwich and on Saint Peter's Hil

cfore-



## 1776.] Anno decimo fexto GEORGII III. C. 24.

aforesaid, and of and in the said barony, manors, messuages, lands, tenements, and hereditaments, herein-before mentioned to be fituate, lying, and being in the counties of Northumberland and Cumberland, and county palatine of Durham, vefled by the faid recited acts of parliament or purchased as aforesaid, and of and in the said light-house duties, shall continue and remain in so many persons as the same are now vested in, and which inconveniences will be wholly removed by vesting such legal estates in the said corporation, who are now capable by law of taking and holding the same; may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all and every After May 1, the barony, manors, messuages, lands, tenements, tithes, and 1776, all hereditaments, and light-house duties, with their several rights, lands, tenemembers, and appurtenances, heretofore given, granted, devised, heretofore settled upon, or vested in, or conveyed or limited or devised or given or affigned to, any person or persons whomsoever, in trust for, or granted to, or for the use or benefit of the said hospital, or given, granted, or for the use of, devised to the said hospital, by any sife and letter anted, or Greenwich devised to the said hospital, by any gift, grant, letters patent, hospital, vested will, letters of administration, act of parliament, indentures, in the corpodeed poll, or other deed in writing, or otherwise howsoever, and ration of the the reversion and reversions, remainder and remainders, rents, commissioners issues, and profits thereof, shall, from and after the first day of ors, &c. May, one thousand seven hundred and seventy-six, be divested out of all and every such person and persons, his, her, and their heirs, executors, and administrators, and the same shall be, and shall be deemed to be, and they are accordingly from thenceforth fettled upon and vested in the said corporation, being the commissioners and governors of the royal hospital for seamen at Greenwich in the county of Kent, their successors and assigns, to the use of the said commissioners and governors of the said royal hospital, their successors and assigns, for ever, freed and absolutely discharged of and from all such right, title, estate, interest, claim, and demand, as any person or persons whatsoever hath or have, or may or can have, in or to the faid barony, manors, messuages, lands, tenements, tithes, and hereditaments, and light-house duties, or in or to any part or parcel thereof, upon any account howfoever, fave as herein-after is mentioned.

II. And be it further enacted by the authority aforesaid, That Act 22 Geo. 2. from and after the said first day of May, one thousand seven hun- &c. repealed. dred and seventy-six, all and every the clauses and powers herein-before recited to be contained in the faid act of the twentyfecond year of the reign of his late majesty King George the Second; and also so much of the act passed in the eighth year of the reign of his faid late majesty King George the Second, as relates to laying the accounts of the commissioners or governors of the said hospital before his Majesty and both houses of parlia-

ment; shall be, and the same are hereby repealed.

. III. And be it further enacted, That the said commissioners ner the baroand governors of the faid royal hospital, their succeilors and as- ny, lands, &c.

figns, are to be held.



figns, shall hold and enjoy all and fingular the said barony, manors, messuages, lands, tenements, tithes, and hereditaments, and the same shall be and be deemed to be held of the King's majesty, his heirs and successors, as of his Majesty's manor of East Greenwich in the county of Kent, by free and common foccage tenure; but nevertheless the said barony, manors, messuages, lands, tenements, tithes, and hereditaments, shall be, and shall be deemed to be, subject to such quit-rents, crownrents, and dutchy-rents, issuing thereout respectively, as the same

are now respectively liable to. IV. And whereas, by reason of the settling of the said barony, manors, messuages, lands, tenements, tithes, and hereditaments, in the said commissioners and governors of the said royal hospital in manner aforesaid, a doubt may be made whether the tenants of the said estates sught from henceforth to do such acts and services, and pay such fines and sums as, by the nature and tenure of their estates, founded upon immemorial usage and custom or otherwise, they would be to have done and performed and paid on the death of any lord thereof, in case the settlement of the said barony, manors, messuages, lands, tenements, tithes, and hereditaments, was made to a particular person only and his heirs: now, in order to make the like provisions as were made by an act of parliament, made and paffed in the eleventh year, and of the faid act paffed in the twenty-second year of his late Majesty's reign, for obliging the tenants of the said estates to do such acts and services, and to pay such fines and Jums of money as aforesaid, be it further enacted by the authority aforesaid, That upon the death of his present Majesty, (whom God long preserve for the benefit of his people), and also upon by thetenants, the death of every successive King or Queen of this realm, all fuch acts and services thall be done and performed, and all such fines and sums of money shall be paid, by the respective tenants of the faid estates, to the said commissioners and governors of the faid royal hospital, as by the ancient tenure thereof, or by any contract, law, usage, or custom, ought to be done, performed, and paid by them, in case the said manors, lands, tenements, and hereditaments, had continued to be or were actually vested in his Majesty, his heirs and successors, and that he and they were to be confidered as private persons only, and not in their politick capacity; and for default of performance of fuch acts and services which ought so to be done and performed, and for default of payment of any such fines and sums of money which ought fo to be paid, such forfeitures and penalties thall accrue and become due; and it shall be lawful for the said commissioners and governors of the faid royal hospital to use and take all. fuch ways and means for recovering and taking advantage of the

faid forfeitures and penalties as might be lawfully used or taken by his Majesty, his heirs and fuccessors, in case the said manors. lands, tenements, and hereditaments, were actually veiled in his Majesty, his heirs and successors, and that he and they were to be confidered as private persons only, and not in their politick capacity; any law, usage, or custom, to the contrary notwith-

performed, and fines paid, agreeable to the ancient tenure, &c.

Services to be

How forfeitures and penalties may be recovered.

standing.



#### Anno decimo fexto GEORGII III. C. 24. 1776.

V. And be it further enacted by the authority aforesaid, That All stock anall and every person and persons, in whose name or names any nuities, etc. flock annuities, or other monies, is or are now standing or being the use of the in trust for, or for the use or benefit of the said hospital, or in hospital, to be whom any stock annuities, or other monies, hath or have been transferred to invested for, or for the use or benefit of the said hospital, and the the corporafurvivors and survivor of them, or the executors and admini-tion. strators of such survivor, shall, as soon as conveniently may be after the passing this act, assign and transfer such stock annuities, or other monies as aforefaid, unto the faid corporation.

VI. And whereas divers penalties, forfeitures, gifts, duties, and other benefits, have been given, granted, settled, appropriated, and established, for the use and benefit of the said royal hospital, and the maintenance thereof, in and by divers statutes heretofore made and now in force; and divers modes have been prescribed by such statutes for the recovery of such penalties, forfeitures, gifts, duties, and other benefits; and inconveniences have arisen in pursuing such modes for the recovery thereof; be it further enacted by the authority aforefaid,

That from and after the first day of May, one thousand seven All penalties, hundred and seventy-fix, all and every penalties, forfeitures, gifts, etc. given gifts, duties, and other benefits, given, granted, fettled upon, to or vetted in or vested in, any person or persons whomsoever, in trust for, or for the benefit for the use or benefit of, the said hospital, or given, granted, or of the hospital, appropriated to the said hospital, shall be deemed to be, and they shall, after are accordingly from thenceforth fettled upon, vested in, and May 1, 1776, appropriated to the commissioners and governors of the royal the commissioners hospital for seamen at Greenwich in the county of Kent, their suc- oners, etc. ceffors and affigns, for the use and benefit of the said royal hospital; and that all fuch fuits as shall or may be necessary to be brought for the recovery of any fuch penalties, forfeitures, gifts, duties, or other benefits as aforesaid, or any parts of them, or either of them, shall and may be brought, commenced, and prosecuted, by and in the name of The commissioners and governors of the royal hospital for seamen at Greenwich in the county of Kent, in fuch and the same manner as if such penalties, forfeitures, gifts, duties, and other benefits as aforesaid, had accrued to the said commissioners and governors of the said hospital in their corporate capacity; any law, statute, usage, or custom, to the contrary thereof in anywife notwithstanding.

VII. Provided always, That all and every the fuits, bills, Provise. plaints, informations, or actions, which are now depending in any of his Majesty's courts of record, shall and may be prosecuted and carried on in such and the same manner as if this act

had not been made.

VIII. Provided also, That all and every lease and demise of This act not all, or any the lands, tenements, mines, and hereditaments, of to invalidate or belonging to the said royal hospital, shall and may be, and leases, etc. are hereby deemed to be valid and effectual to all intents and purposes, in such and the same manner as if this act had not been made.

IX. And be it further enacted by the authority aforesaid, Vol. XXXI.

BBO

Anno decimo fexto Georgii III. C. 24-28.

pealed.

Part of an act That from and after the first day of May, one thousand seven 33 Geo. 2. re- hundred and feventy-fix, so much and such part of an act, made and passed in the thirty-third year of the reign of his late majesty King George the Second, intituled, An att for the more effettual Securing the payment of Such prize and bounty-monies as were appropriated to the use of Greenwich hospital, by an act, made in the twenty-ninth year of the reign of his present Majesty, intituled, An act for the encouragement of feamen, and the more speedy and effectual manning his Majesty's navy, as relates to the manner of levying and recovering penalties and forfeitures, and parts of penalties and forfeitures, given or granted to or for the benefit of the faid hospital, shall be, and the same is hereby repealed.

Publick act.

X. And be it further enacted by the authority aforesaid, That this act shall be, and the same is hereby declared to be a publick act; and all judges, justices, and others, are hereby required to take notice thereof as fuch, without specially pleading the fame.

## CAP. XXV.

An act for lighting and watching the streets, lanes, and other publick passages and places, within the borough of Boston, in the county of Lincoln; and for removing and preventing nuisances, annoyances, and obstructions therein.

#### CAP. XXVI.

An act for lighting and watching the villages of Camberwell and Peckham, in the county of Surrey, and certain roads therein mentioned leading thereto; and for establishing a foot patrole between Peckham and Blackman-street in the borough of Southwark.

### C A P. XXVII.

An act for better cleaning, lighting, and watching the streets, lanes, and other publick passages, within the borough of Dorchester, in the county of Dorfet, and in the tithing of Colliton-row, in the town of Dorchester aforesaid; for paving the footways and repairing certain horseways of fuch parts thereof as are turnpike; and for paving the footways and repairing the horseways of such parts thereof as are not turnpike; for removing nuisances, annoyances, and obstractions therein; and for preventing houses or buildings, hereafter to be erected in the said borough and tithing, from being thatched.

## C A P. XXVIII.

An act for making and maintaining a navigable canal from or near the town of Stourbridge, in the county of Worcester, to join the Staffordthire and Word stershire canal, at or near Stourton, in the county of Stafford; and also two collateral cuts, one from a place called The Fens, upon Peninet-chace, to communicate with the intended canal near the Junction of Wordesley-brook with the river Stour; and the other from a place called Black Delph, upon the faid chace, to join the first-mentioned collateral cut at or near certain lands called The Lays, in the parish of Kingswinford, in the said county of Stafford.

Preamble. Names of the proprietors; who are incorporated: their powers. Course of the canal and cuts described. Company of Proprietors impowered to supply the canal with water from the adjoining brooks, &c. to enter lands or grounds to take surveys, &c. and to dig and carry away stone, gravel, &c. Company may build bridges, sluices, &c. make fences, and towing-paths, &c. doing as little damage as possible, and making



## 1776.] Anno decimo sexto Georgii III. c. 28.

satisfaction for the same. Company not to dig clay, &c. in any lands of Mr. Hodgetts. Provito. Proprietors not authorifed (without the confent of Mr. Hodgetts) to lay earth, &c. on certain places; nor to carry the canal within 30 yards of his plantation at Hafcut; nor to leave spoil or earth on his land near the road from Hafcut to Stewponey. Proprietors not to extend canal within one mile and a half of Birmingham canal, &c. No water to be taken out of Birmingham canal navigation, &c. Proprietors not to take or divert certain waters. Reservation of waters for the use of the navigation. Proprietors not to make reservoirs on the fouth-east side of the turnpike road between Dudley and Brierly-hill, &c. Waste water to be conveyed to Mr. Foster's leather-mill. Proprietors may erect weirs, for carrying off superfluous water in times of flood. Proviso. Proprietors to erect weirs upon the canal above Bell's mill. No quays, &c. to be made in Mr. Foster's land in Nager's Fields. Direction of towing-path through Nager's Fields. Breadth of canal, towing-paths, &c. refricted. Power to take water from mines; and also to make reservoirs; trenches, &c. making recompence for damages. Proprietors of fire engines, &c. to lift their water into the canal, &c. How to proceed if parties cannot agree upon the compensation, &c. Ponishment of owners of fire-engines, &c. who shall refuse to raise the water as above mentioned. Bodies politick, &c. impowered to fell and convey. All persons indemnified who shall sell or convey, &c. by virtue of this act. Copyhold rights to be preserved. Commissioners appointed. Commissioners powers: they may determine what sums shall be paid for land, &c. and for damages. In what cases juries to be impanelled. Jurymen may be challenged. Jury to ascertain the sums to be paid for purchase-money, damages, &c. Their verdict to be final. Penalties on sheriff, jurors, &c. neglecting their duty. Expences of Juries how to be paid. Persons requesting juries to enter into bond to prosecute, &c. No complaints to be made to commissioners, until application hath been made to proprietors. Penalty on giving false evidence. Upon payment or tender of monies agreed on for purchase of lands, &c. the said lands vested in proprietors, who may enter on the same, &c. Determinations, verdicts, &c. to be recorded, and lands to become vested in the company. Purchase-monies to be laid out to the same uses, &c. and, until such purchases are made, to be placed in some of the publick funds, &c. Commissioners to settle proportions of money to be paid to persons interested. In default of payment of damages, how to be recovered. If Damages and costs not paid within four months, may be levied by distress and sale. Commissioners to enter their proceedings in a book, and appoint a clerk. Destroying any works belonging to the navigation made felony. Offender may be transported for 7 years, &c. or fined double the value of the damage. Proprietors may raise amongst themselves 30,000 l; to be applied in making canal, &c. Money to be raised shall be divided into 300 shares; and deemed personal estate. No person, body politick, &c. to have more than ten shares. Five per cent. to be paid till the works are completed. Subscribers to have a vote for each share, either in person or by proxy. General assemblies to be held twice in every year. A committee to be chosen. A special meeting may be held, after ten days notice. Committee subject to controul of general assembly, &c. Proviso. Books of account to be kept, &c. General assemblies to consist of too shares. Power of general assemblies and committees. Owners to pay their shares when called for, &c. Penalty on neglect thereof. Snares not to be forfeited until after personal notice, &c. Treasurer to give security. Security to be inrolled, within 3 months after given. General assemblies may remove committee men and officers, and make bye-laws. In case of death of subscriber, executors, &c. may anfwer calle, or in default thereof, shares may be disposed of. Proprietors may fell their shares; the mode of doing it. No sale pending calls. Form of transfer of shares. Clerk to be appointed: his duty. Penalty, for default therein, 51. Rates to be taken for goods navigated on the canal, &c. If rates not paid on demand, proprietors may fue for the same, or distrain the vessel, &c. Additional tonnage for goods left on company's wharf above 24 hours. Exemptions from rates in certain cases. Persons carrying paving-stones, &c. may make use of towing-paths, &c. Proprietors



## Anno decimo fexto GEORGII III. c. 28. [1776.

may alter rates from time to time. No reduction to be made, without the approbation of a majority at a general meeting. Three-pence to be taken for every ton of coals which shall have passed through any of the locks on the intended Dudley canal. A duty of 2d. per ton per mile, may be laid upon all coals that shall be navigated upon the Staffordshire canal navigation. Proprietors of Staffordshire canal impowered to reduce their tolls, and to raise them again. At what places the aforesaid toll of a d. per ton on coals, on the Staffordshire canal, is to commence. Matters of boats, &c. to give an account in writing to the collectors, of goods on board. Pénalty on default. How many feet of timber to be deemed a ton, &c. 'Collectors may weigh or measure goods. Charges of weighing, &c. how to be paid. Navigation to be free on payment of tolls. No boat under 15 tons to pass through any lock, &c. Owners of adjoining lands may use pleasure-boats. Drains, &c. to be made for the benefit of lands adjoining, and kept in repair by the proprietors. Towing-paths to be fenced from the adjoining lands. Gates, bridges, &c. to be erected. proprietors neglect to separate towing-paths, &c. Occupiers of adjacent fands may do it, who shall be reimbursed by the proprietors. In default of payment, to be levied by diffress. In case the company neglect to repair rails, hedges, &c. occupiers of lands may do it. Coals, &c. found in digging the canal, may be taken by proprietors of lands. Proprietors of mines, &c. may make drains to carry water from the same, &c. Mines not to be worked within 12 yards of canal. Method of getting coal, &c. under canal. Method of discovering when mines are working under or near the canal. How proprietors to proceed in such cases. Company to inspect coal-mines, &c. On failure whereof, owners may work the same; or the company shall make them satisfaction. Disputes to be settled by the commissioners, &c. Owners of mines may make cuts through their own grounds. Owners of mines impowered to make rail-ways, &cc. If parties cannot agree, may apply to the commissioners, who are to view the place, and lettle the differences, &c. Proprietors may erect a towingbridge over the Staffordshire canal; making satisfaction for damages, &c. Lowermost lock on canal, not to be of less fall than ro feet. Canal, between Stourbridge and Bell's Mill, to be on a level. Time limited for finishing certain parts of caual, &c. Owners of adjoining lands may ereck bridges, &c. at their own charge. Company restrained from erecting or taking down certain buildings, &c. or cutting down timber, &c. (except as excepted.) Proprietors impowered to take down certain shops, &c. belonging to the earl of Stamford. If parties cannot agree, difference to be fettled by commissioners, &c. Company not to take down certain houses, without confent of owners, &c. Land-owners, may erect warehouses, &c. on their own lands, &c. If land-owners neglect to build, &c. after twelve months notice, proprietors may do it, making fatisfaction to the owners. Proprietors not to make roads over lands of the earl of Stamford, &cc. without their consent, nor to leave goods on their wharfs, longer than 6 days, &c. Rates for wharfage to be paid to land owners. Company of proprietors may erect craves, &c. on wharfs, if owners neglect. Weight of the lading of veffels to be marked on each fide, and names of the owners, &c. on penalty of 40s. Boats, &c. to be measured: Penalty. on refusal, 40 s. Boatmaster or owner made answerable for damages done by the crew. Proper places to be made for boats to turn or lie in. Penalty on placing vellels fo as to obstruct the navigation, ice. Vessels sunk to be weighed. Persons floating timber on the canal, or over-loading vessels, or throwing gravel, &c. into canal, to torfeit, 51. Regulations for veffels passing the locks. Penalty of 40 s. for each offence. Canal not to be under the power of commissioners of sewers. If company neglect to pay annual rents, &c. Commissioners may appoint a person to receive the rates, and pay the same, &c. Reservation of rights of lords of manors, &c relating to mines, &c. Company not to erect warehouses, &c. without consent of land-owners. Reservation of exclusive rights of fishery, &c. Care being taken not to injure canal, towing paths, &c. Unqualified perfons not to carry any gun, filhing-net, &c. on board any veffel, on penalty of 51. for each offence. When commissioners die, or refuse to act, new ones to be chosen. Justices at quarter sessions impowered to nominate



## 1776.] Anno decimo sexto Georgii III. c. 29.

commissioners in certain cases. Qualification of commissioners. Any perfon acting, not qualified, to forfeit sol. Commissioners to give 14 days notice of their meetings. Commissioners to be sworn. Their oath. Commissioners may act as Justices. No commissioner to act as such while he possesses any place of profit, &c. Five commissioners, on request of proprietors, &c. may appoint a general meeting of commissioners. Power to hold special meetings for ascertaining damages. No meeting to be held, but within two miles of the canal, &c. The right, &c. to lands, in case navigation not completed, &c. to be re-conveyed to original owners. In case of dispute, jury to award the consideration-money, &c. Subscribers who neglect to pay their subscriptions, may be compelled, &c. Expences of this act how to be paid. Penalties and forfeitures how to be recovered and applied. Writings to be without stamps. Proceedings not to be quashed for want of form, &c. Distress not to be deemed unlawful for want of form. Persons aggrieved may appeal to the sessions. Limitation of actions. General Mue. Double costs. Publick act.

#### CAP. XXIX.

An act for westing in John Liardet, clerk, his executors, administrators, and assigns, the sole use and property of a certain composition or cement of his invention, throughout his Majesty's kingdom of Great Britain, and in the colonies and plantations abroad, for a limited time.

WHEREAS his most excellent majesty King George the Preamble.
Third, by his letters patent under the great seal of Great Britain, bearing date at Westminster the third day of April, which was in the thirteenth year of his reign, did give and grant unto John Liardet, of Great Suffolk-street, in the parish of Saint Martin in the Fields, in the county of Middlesex, clerk, his executors, admini-Arators, and assigns, his sole privilege and authority to make, use, exercise, and vend, a certain composition or cement, for all the branches concerning buildings to which the same was applicable, within that part of Great Britian called England, his dominion of Wales, and town of Berwick upon Tweed, and in any of his Majefly's colonies and plantations abroad, for the term of fourteen years: and whereas, unless the term granted by the said letters patent be prolonged, and the property of the Said John Liardet in the Said invention better secured, not only within that part of Great Britain called England, the dominion of Wales, the town of Berwick upon Tweed, and in his Majesty's colonies and plantations abroad, but also within that part of Great Britain called Scotland, it will neither be possible for the said John Liardet to receive an adequate recompence for his labour, expence, and time, nor for the publick at large to reap the various advantages in point of utility and oeconomy, as well as ornament in building, which would arise from this invention were its use universally diffused, and its price lowered, upon which the demand, and consequently the profits of the proprietor must depend: and whereas the cement from its nature grows too hard for use if not used soon after it is made, and therefore must be made where used, or near it, from which circumstance the use thereof has hitherto been confined to the metropolis and a few miles about it, as training workmen and erecling works is difficult and expensive: and whereas, if the term is not enlarged, the same narrow plan must be continued, a general plan of 03

# Anno decimo fexto GEORGII III. C. 29. [1776.

grecting works and training men all over the kingdom, which is necesfary if the use of the cement is to be universal, cannot upon so short a prospect be undertaken, the circle cannot be enlarged, and the price must continue such as may indemnify the proprietor for his expence, out of the profits arising from a very small consumption only, during his present term: to the end therefore that the said John Liardet may be enabled and encouraged to prosecute and compleat his said invention, so that the publick may reap all the advantages to be derived therefrom in their fullest extent, may it please your Majesty (at the humble petition of the said John Liardet) that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, vilege of mak- the fole privilege and advantage of making, using, exercising, and vending, the faid composition, or cement mentioned in the faid letters patent, with the additions and improvements fince in John Liar- made therein, within the kingdom of Great Britain, and his Majesty's colonies and plantations abroad, shall be, and the same is and are hereby declared to be, vested in the said John Liardet, his executors, administrators, and assigns, for and during the term of eighteen years from thenceforth next ensuing, and fully to be compleat and ended; and that he the faid John Liardet, his executors, administrators, and assigns, and every of them, by himself and themselves, or by his or their deputy or deputies, fervants or agents, or fuch others as he, the faid John Liardet, his executors, administrators, or assigns, shall at any time agree with, and no others, from time to time, and at all times, during the term of years herein-before last mentioned, shall, and lawfully may, make, use, exercise, and vend, the said composition or cement herein-before mentioned, with all and every the additions and improvements thereof, within the kingdom of Great Britain, and in his Majesty's colonies and plantations abroad, in such manner as to him the said John Liardet, his executors, administrators, and assigns, or any of them, shall in his or their discretion seem meet; and that the said John Liardet, his executors, administrators, and assigns, and every of them, shall, and lawfully may, have and enjoy the whole profit, benefit, commodity, and advantage, from time to time coming, growing, accruing, and arifing, by reason of the said invention, for and during the faid term of eighteen years herein-before mentioned, to have, hold, exercise, and enjoy, the said privileges and authorities, and every part thereof, unto the faid John Liardet, his executors, administrators, and assigns, for and during and unto the full end and term of eighteen years as aforefaid; and that no other person or persons, within the kingdom of Great Britain, or in any of his Majesty's colonies or plantations abroad, shall at any time, during the said term of eighteen years, either directly or indirectly, make, use, or put in practice, the faid invention, or any part of the same, nor in anywise counterfeit, imitate, or resemble the same. nor shall make, or

caule

ment vested det, his executors, &cc. for eighteen Acsie.

The fole pri-

ing and vend-

ing the ce-

Penalty on other persons making cement without licence, etc.



## 1776.] Anno decimo fexto GEORGII III. c. 29.

cause to be made, any addition thereunto or substraction from the same, whereby to pretend himself, herself, or themselves, the inventor or inventors, devisor or devisors thereof, without the licence, consent, or agreement, of the said 'John Liardet, his executors, administrators, or assigns, in writing under his or their hand and feal or hands and feals first had and obtained in that behalf, upon such pains and penalties as can or may be justly inflicted on such offender or offenders for his, her, or their contempt of this act, and further to be answerable to the said John Liardet, his executors, administrators, and assigns, according to law, for his and their damages thereby occasioned.

II. And whereas the faid John Liardet has hitherto furnished the said cement at the rate of sixpence per foot square on the surfaces of all plain buildings, and two-pence per foot running measure for arrises; to the end therefore that the publick may be affured of the advantage of this invention at the same price during the continuance of this act, be it further enacted by the authority aforesaid, That it shall John Liardet not be lawful for the said John Liardet, his executors, admini- not to sell his strators, or assigns, during the continuance of this act, to ask, cement dearer demand, or take, any greater price than fixpence by the foot prices menfquare, and two-pence per foot as aforesaid for arrises, for cover-tioned. ing any plain work with the aforesaid cement or composition.

III. Provided always, and it is hereby declared, That nothing This act not in this act contained shall extend, or be construed to extend, to to hinder the prejudice or hinder any person or persons from making or using making any any composition or cement, or any thing relating thereto, for which is not the purposes aforesaid, or for any other purpose, which is or are the invention not at present of the invention or application of the said John of John Liar-Liardet, or which has or have been publickly used or exercised det, etc. by any other person or persons before the date of the said letters patent herein-before recited; but that all such composition or cement, and every thing relating thereto, which is or are not at present of the invention of the said John Liardet, or is or are not particularly ascertained and described in the instrument or specification herein-after mentioned, shall be and remain to the publick, and to the respective inventor or inventors thereof, in like manner as if this act had never been made, any thing herein contained to the contrary notwithstanding.

IV. And be it hereby declared and enacted, That every objection which might have been made to the faid cement's not being a new invention, within the true intent and meaning of an act of the twenty-first of James the First, sufficient to invalidate letters patent, may be made in bar to any action brought

by virtue or in consequence of this act.

V. Provided always, That if the faid John Liardet, his exe- If John Liarcutors, administrators, or assigns, or any person or persons who det, etc. shall shall, at any time during the said term of eighteen years, have transfer the or claim any right, title, or interest, in law or equity, of, in, or making ceto, the power, privilege, or authority, of the fole making, uling, went to more exercifing, and vending, the faid composition or cement, shall than 5 permake any transfer or assignment, or pretended transfer or assign- lone, etc.

04



## Anno decimo sexto Georgii III. c. 29. [1776.

ment, of the faid liberty or privilege hereby vested in the faid John Liardet, his executors, administrators, and assigns, or any share or shares of the benefit or profits thereof, or shall declare any trusts thereof to or for any number of persons exceeding the number of five; or shall open, or cause to be opened, any book or books for publick subscriptions to be made by any number of persons exceeding the number of five, in order to the raising of any fum or fums of money under pretence of carrying on the faid liberty or privilege hereby vested in the said John Liardet, his executors, administrators, or assigns; or shall, by him or themselves, or his or their agents or servants, receive any sum or fums of money whatloever, of any number of persons exceeding in the whole the number of five, for fuch or the like intents or purposes; or shall presume to act as a corporate body, or shall divide the benefit of the liberty or privileges hereby vested in the faid John Liardet, his executors, administrators, and assigns, into any number of shares exceeding the number of five; or or shall do any shall commit or do, or procure to be committed or done, any act, matter, or thing whatfoever, during fuch time as fuch perfon or persons shall have any right or title either in law or equity, which shall be contrary to the true intent and meaning of an act of parliament, made in the fixth year of the reign of his late majesty King George the First, (intituled, An act for the better securing certain powers and privileges, intended to be granted by his Majesty by two charters, for assurance of ships and merchandizes at sea, and for lending money upon bottomry; and for restraining several extravagant and unavarrantable practices therein mentioned;) or in case the said power, privilege, or authority, shall at any time become vested in, or in trust for, more than the number of five persons or their representatives at any one time, otherwise than by devise or succession, (reckoning executors and administrators as and for the fingle persons whom they reprefent, as to fuch interest as they are or shall be intitled to in right of fuch their testator or intestate) that then, and in every of the faid cases, all liberties and advantages whatsoever, hereby vested in the faid fohn Liardet, his executors, administrators, and assigns, shall utterly cease, determine, and become void, any thing herein-before contained to the contrary thereof in anywife notwithstanding.

then this act to become void.

thing con-

6 Gco. 1.

trary to the

recited act of

**Ipecification** of the nature of his invencery, within 4 months, or to lofe the benefit of this

act.

VI. Provided also, and be it further enacted and declared by John Liardet, the authority aforesaid, That if the said John Liardet, his exeetc. to cause a cutors, administrators, or assigns, or some or one of them, shall not particularly describe and ascertain the nature of his said invention in its present improved state, and in what manner the tion to be in- same is to be performed, by an instrument in writing under his rolled in Chan- hand and feal, and cause the same to be inrolled in the high court of Chancery, within four calendar months after the passing of this act; that then, all the liberties, powers, privileges, and advantages, hereby vested in the said John Liardet, his executors, administrators, and assigns, shall cease, determ ne, and be



#### Anno decimo sexto Georgii III. c. 30. 1776.]

and become absolutely void, any thing herein-before contained to the contrary thereof in any-wife notwithstanding.

VII. And be it further enacted by the authority aforesaid, That this act shall be adjudged, deemed, and taken to be a pub- Publick act. lick act; and thall be judicially taken notice of as such, by all judges, justices, and other persons whomsoever, without specially pleading the fame.

### CAP. XXX.

An all more effectually to prevent the stealing of deer, and to repeal Several former statutes made for the like purpose.

WHEREAS the statutes now in force for the discovery and punishment of deer stealers are numerous, and many of them ineffectual: and whereas the good purposes thereby intended might be better effected, if such of the Said flatutes as are found to be defective were repealed, and such good provisions as are therein contained, together with such further provisions as may be expedient, were reduced into one act; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if any person Preamble. or persons shall course or hunt, or shall take in any slip, noose, Penalty on toyle, or mare, or shall kill, wound, or destroy, or shall shoot persons who at, or otherwise attempt to kill, wound, or destroy, or shall carry kill, wound, away, any red or fallow deer, in any forest, chase, purlieu, or or shoot at, ancient walk, whether inclosed or not, or in any inclosed park, etc. any falpaddock, wood, or other inclosed ground, where deer are, have low deer, in been, or shall be usually kept, without the consent of the owner, park, etc. or without being otherwise duly authorised, or shall be aiding, without being abetting, or affifting therein or thereunto, every person so of-duly authofending, by courfing, hunting, shooting at, or otherwise at-rised. tempting to kill, wound, or destroy, or by aiding therein or thereunto, shall forfeit, for every such offence, the sum of twenty pounds; and every person so offending by killing, wounding, or destroying, or by taking in any slip, noose, toyle, or snare, or by carrying away, or by aiding therein respectively, shall, for every deer so wounded, killed, destroyed, taken, or carried away, forfeit and pay the fum of thirty pounds; and if the offender in any of the cases aforesaid shall be a keeper of, or person in any manner entrusted with the custody or care of deer, in the forest, chase, purlieu, ancient walk, or inclosed park, paddock, or wood, or other inclosed place, where the offence shall be committed, every fuch offender shall forfeit and pay double the penalty herein-before appointed to be paid by other offenders; and if any person or persons, after having been convicted of any of the aforesaid offences, shall offend a second time against this act, by committing any of the aforesaid offences, such second offence, whether it be the same as the first offence, or be any other of the aforesaid offences, shall be deemed and adjudged to be felony, and the person guilty thereof, being lawfully convict-

**#88** 

Anno decimo fexto Georgii III. C. 30. [1776.

ed upon indicament, shall be transported to one of his Majesty's

plantations in America for the space of seven years.

Persons convicted under former acts. still liable to penalties, etc.

II. And be it further enacted, That every person who hath been, or, before the commencement of this act, shall be, convicted under any statute now in force, for unlawfully hunting, courfing, killing, taking, or carrying away, any deer out of any forest, chase, purlieu, ancient walk, park, paddock, wood, or inclosed ground, shall be subject and liable to the several pains and penalties by fuch statute provided, in like manner as if this act had not been made; and in case any such offender shall, after the commencement of this act, be guilty and convicted of any of the aforelaid offences against this act, (the legal proof of fuch first or former conviction having been first made,) every fuch person shall be deemed and adjudged to have committed a fecond offence against this act, in like manner as if this act had been in force at the time of such first conviction, and as if such conviction had been made under the provisions of this act.

How justices to proceed on conviction of offenders.

III. And, to the intent that the prosecution of persons who shall offend a second time in manner aforesaid, may be carried on with as little expence and trouble as is possible, be it further enacted, That the justice before whom any person shall, after the commencement of this act, be convicted for the first time of any of the offences before described, shall transmit such conviction, under his hand and feal, to the quarter fession which next after such conviction shall be holden for the county, riding, division, city, town, or place, wherein such first offence shall be committed, there to be filed by the clerk of the peace, and to be kept amongst the records of the peace; and such conviction so filed, or a true copy thereof certified and subscribed by such clerk of the peace, shall be sufficient evidence to prove the conviction of fuch first offence as aforesaid.

IV. And be it further enacted, That it shall be lawful for any

one justice of the peace, upon complaint made to him on oath

Justices may grant warrants to learch fuspected houses, &c. skins of deer, &c.

by any credible person, that there is reason to suspect any perfon or persons of having in his, her, or their custody or possesfor heads and fion, or in any dwelling-house, out-house, yard, garden, or place, any red or fallow deer, which shall have been unlawfully killed, or the head, skin, or other part thereof, or any flip, noofe, toyle, fnare, or other engine, for the unlawful taking of deer, by warrant under his hand and feal, to cause such person and perfons, and fuch dwelling-house, out house, garden, or place, to be fearched; and if any red or fallow deer, suspected to have been unlawfully killed, or the head, skin, or other part thereof, or any flip, noofe, toyle, fnare, or other engine, fulpected to be used for the unlawful taking or killing of deer, shall be found in his, her, or their cuflody or possession, or in such dwellinghouse, out-house, garden, or place, to cause the fine and such person or persons to having poliethon, or in whose dwellinghouse, out-house, garden, or other place, the same thall be

found, to be brought before any justice of the peace having

Penalty on perions in whole cultody any fuch shall be found, &c.



## 1776.] Anno decimo fexto GEORGII III. c. 30.

jurisdiction; and if such person or persons shall not produce before such justice the party of whom he, she, or they received the same, or satisfy such justice that he, she, or they came lawfully by fuch deer, or the head, skin, or other part thereof, or had a lawful occasion for such slip, noose, toyle, snare, or other engine, or did not keep the same for any unlawful purpose, then every fuch person shall forfeit any sum not exceeding thirty pounds, nor less than ten pounds, at the discretion of such

justice.

V. And be it further enacted, That if any red or fallow deer, In case the said fuspected to have been unlawfully killed, or the head, skin, or persons canother part of such deer, shall, on a search under a warrant from not be canany justice of the peace, be found in the possession or custody of justices are any person or persons, or in any dwelling-house, out-house, to proceed. garden, or other place, or shall be proved to have been in the possession, house, out-house, garden, or place, of any person or persons who may be justly suspected to have come dishonestly or unlawfully by the fame as aforefaid; and fuch person or persons fo in possession, or the owner or occupier of such dwellinghouse, out-house, garden, or other place, shall not, under the provisions aforesaid, be liable to conviction; then, and in every fuch case, for the discovery of the party or parties who actually killed or stole such deer, it shall and may be lawful to and for any justice of the peace having jurisdiction as the evidence given and the circumstances of the case shall require, to summon before him, at his discretion, every person through whose hands fuch deer, or the head, skin, or other part thereof so found, shall appear to have passed; and if the person and persons from whom fuch deer, or the head, skin, or other part thereof, shall appear to have been first received, or who having had possession thereof, shall not give proof, to the satisfaction of such justice, that he, the, or they came lawfully by the fame, fuch person or persons shall, on every conviction, forfeit and pay any sum not exceeding thirty pounds, nor less than ten pounds, at the discretion of fuch justice.

VI. And be it further enacted, That in case it shall appear, Suspected peron the oath of a credible witness, that any person or persons sons having hath or have had in his, her, or their possession, house, out- &c in their house, garden, or place, any red or fallow deer, or the skin, possession, head, or other part thereof, and shall be reasonably suspected to how to be have come dishonestly or unlawfully thereby, then, and in every proceeded fuch case, every such person or persons, and all other persons against. through whose hands the same shall appear to have passed under the like suspicion, shall and may be proceeded against in like manner and form, and on conviction shall be subject and liable to the same penalty or penalties, as if such deer, or the head, skin, or other part thereof, had been found in the possession, house, out-house, garden, or place, of such person or persons, upon a fearch made under and by virtue of any fuch warrant

as aforefaid.

VII. And be it further enacted, That in case any person or



Anno decimo sexto Georgii III. c. 30. [1776.

Penalty on perions fetting nets, wires, &c. for taking deer, in any forest, chace, &c. persons shall set, lay, or use, any net, wire, slip, noose, toyle, or other engine, for the purpose of taking or killing deer, within or upon any forest, chace, purlieu, or antient walk, or in the ring or outer fence or bank dividing the same from the adjoining lands; or in any inclosed park, paddock, wood, or ground, where deer are, have been, or shall be usually kept, such person or perfons, not being the owner of fuch forest, chace, purlieu, antient walk, park, paddock, wood, or ground, or intrusted with the care of the deer within the same, and shall be convicted of any of fuch offences, every fuch offender shall forfeit and pay, for the first offence, any sum not exceeding ten pounds, nor less than five pounds; and if afterwards convicted of any of the offences last mentioned, shall, on every conviction after the first, forfeit and pay any sum not exceeding twenty pounds, nor less than ten pounds; which said respective forfeitures, shall be set at the discretion of the justice or justices before whom the offender or offenders shall be convicted of such first or further offence.

Penalty on persons pulling down pales or walls, &c. of any torest, park, &c.

VIII. And be it further enacted, That if any person or persons shall at any time wilfully pull down or destroy, or cause to be wilfully pulled down or destroyed, the pale or pales, or any part of the walls of any forest, chace, purlieu, antient walk, park, paddock, wood, or other ground, where any red or fallow deer shall be then kept, without the consent of the owner or person chiefly intrusted with the custody thereof, or being otherwise duly authorised, every person so offending shall be subject unto the forseiture and penalty hereby inslicted for the first offence of killing of any deer.

Penalty on perfors carrying firearms, into any torest, park, &c. with intent to destroy deer.

IX. And be it further enacted, That if any person or perfons, carrying any gun, or other fire-arms or any fword, staff, or other offensive weapon, shall come into any forest, chace, purlieu, or antient walk, or into any inclosed park, paddock, wood, or into any other ground where deer are usually kept, be the same inclosed or not inclosed, with an intent unlawfully to shoot at, course, or hunt, or to take in any slip, noose, toyle, fnare, or other engine, or to kill, wound, destroy, or take away, any red or fallow deer, it shall be lawful for every ranger or keeper, or person intrusted with the care of such deer, to seize and take from fuch person and persons, in and upon such forest, chace, purlieu, ancient walk, park, paddock, wood, or other ground, to and for the use of the owner thereof respectively, all fuch guns, fire-arms, flips, noofes, toyles, marcs, or other engines, and all dogs there brought for courfing deer, in the same and like manner as the game-keepers of manors are impowered by law within their respective manors, to seize and take dogs, nets, or other engines, in the cuttody of perions not qualified by the laws to keep the fame; and if any fuch person or persons thall there unlawfully best or wound any ranger or keeper, or his or their fervants or affidants, in the execution of his or their office or offices, or thall attempt to refeue any perfen in the lawful cuitody of any fuch ranger, kee, er, fervant, or affiliant,

every



## 1776.] Anno decimo sexto Georgii III. c. 30.

every person so offending shall be deemed and adjudged to be guilty of felony, and on being lawfully convicted on indictment, shall be transported to one of his Majesty's plantations in America

for the space of seven years.

X. And be it further enacted, That, upon complaint or in- How justices formation upon oath, of any one or more credible witness or to proceed on witnesses, before any one justice of the peace having jurisdiction, information of offences. of any offence committed against this act, it shall and may be lawful to and for fuch justice (except in such cases only where the justice is specially directed previously to summon the party before him) to cause the person or persons, who shall be charged by fuch complaint or information, to be apprehended by warrant under the hand and feal of fuch justice, and to be brought before him at such time and place as shall be specified in and by fuch warrant, and thereupon fuch justice shall and may proceed to hear the matter of fuch complaint or information, and to adjudge and determine the fame; and in fuch case where it is provided by this act that the party complained of shall be summoned to appear, if the party fo summoned shall not appear according to fuch fummons, then, upon due proof made of the fervice of fuch fummons, either personally, or by leaving the same at his dwelling-house, lodgings, or other usual place of abode, it shall be lawful for the justice, before whom the party was so fummoned to appear, to apprehend fuch party by warrant, and to proceed as if no previous summons had been directed by this act.

XI. And be it further enacted, That all the pecuniary penal- Penalties how ties of this act shall be recoverable before one or more justice or to be recojustices of the peace for the county or other division in which vered and the offence shall be committed, on proof of the offence, by the applied. oath of one or more credible witness or witnesses, or on confession of the offender; and one moiety of each penalty shall belong to the King's majesty, his heirs and successors, and be paid, for his and their use, into the hands of such person or persons as the said justice or justices shall direct, and the other moiety thereof shall belong and be paid to the informer or informers profecuting for the same; and in case of non-payment thereof, If not paid with the charges incident to the conviction, immediately upon on convicthe conviction, the faid penalty or penalties, and the charges in- levied by cident, shall be levied by distress and sale of the goods and distress. chattels of every fuch offender, by warrant under the hand and feal or hands and feals of the justice or justices before whom fuch conviction shall be made; and for want of sufficient distress, the offender or offenders, except in such cases only where it is otherwise provided by this act, shall be sent by the said justice or justices to the common gaol of the county or place where the offence shall be committed for the space of one whole year, without bail or mainprize, unless the said penalty, and charges incident, shall be sooner paid.

XII. And, to the end that persons, convicted of any of the offences for which pecuniary penalties are inflicted by this act, may not by

# Anno decimo sexto Georgii III. c. 30. [1776.

Justices may order offenders into custody, it penalties are not immediately paid.

Provifo.

Regulations for justices where security is given.

Keeper of any forest, park, &c. may apprehend persons hunting, &c of deer, or laying any net, &c. therein.

flight or removal after conviction, evade imprisonment where such penalties shall not be paid on conviction, and sufficient distress cannot be found for raising such penalties, be it further enacted, That it shall and may be lawful for the justice or justices of the peace, before whom any offender shall be convicted of having incurred any pecuniary penalty of this act, immediately after such conviction, to order him or her into custody, in case he or she shall not immediately pay the penalty due on such conviction, during such time, not exceeding three days, as such justice or justices shall think proper to allow for return of the warrant for raising the penalty by distress and sale as aforesaid.

XIII. Provided always, That if it shall appear to the satisfaction of such justice or justices, either by the confession of the party convicted, or otherwise, that such party hath not goods or chattels sufficient whereon to levy the penalty or penalties so due, then, and in such case, the said justice or justices shall and may, without issuing any warrant of distress, proceed to commit the party so convicted, as if a warrant of distress had been issued,

and a nulla bona returned thereon.

XIV. Provided also, That if any person, committed for any first offence against this act, shall, before his commitment to prison, procure security to be given by two sufficient sureties, to the satisfaction of the justice or justices before whom he shall be so convicted, for payment of the penalty or penalties incurred, with the charges incident, within fix days, inclusive of the day of conviction, then, and in such case, it shall be lawful for such justice or justices to accept such security, and upon non-payment thereof at the time to be stipulated for that purpose, to cause the party convicted, and his faid fureties, to be aprehended by warrant under his or their hand and seal, or hands and seals, and them to commit to the common gaol of the county or place where the offence was committed, for such space of time as the party convicted was subject and liable to have been imprisoned in case no such security had been given, unless the penalty or charges shall be sooner paid.

XV. And be it further enacted, That it shall and may be lawful for any keeper or under-keeper of any forest, chace, purlieu, ancient walk, paddock, park, or other ground inclosed, where deer are, have been, or shall be usually kept, and their servants or assistants, to seize and apprehend, upon the spot, any person or persons whom they shall discover in the actual fact of hunting, coursing, killing, wounding, shooting at, taking, destroying, or carrying away, any red or fallow deer from any such forest, chace, purlieu, or ancient walk, whether inclosed or not, or in any inclosed park, paddock, wood, or in any other inclosed ground, or attempting so to do, or in setting or laying any net, wire, slip, noose, toyle, snare, or other engine therein, for the taking, killing, or destroying of deer therein, and to carry such offender or offenders before some neighbouring justice of the peace having jurisdiction, to be dealt with according to law.

XVI. And be it further enacted, That in case any offender for

Anno decimo sexto Georgii III. C. 30. 1776.]

193

his first offence against this act, shall, for want of a sufficient In what cases distress, be committed to gaol, and shall, whilst in gaol, obtain offenders the consent in writing of the prosecutor, and also of the owner, may be enranger, forester, keeper, or other person chiefly intrusted with the larged. care of the deer in the forest, chace, purlieu, ancient walk, park, park, paddock, or place, wherein the offence was committed, for his enlargement; that then, and in every fuch case, it shall and may be lawful to and for the justices of the peace having jurisdiction, at their quarter or general sessions, to cause such offender to be brought before them, and thereupon by their order to direct the keeper of such goal to set such offender at liberty; and the faid keeper is hereby directed to obey fuch order accordingly, any thing herein-before contained to the contrary notwithstanding.

XVII. And, for the better discovery of offenders against this act, be it further enacted, That any person who shall offend against Any offender this act, and shall make discovery of any other person or persons making diswho hath or have offended against the same, so as he, she, or covery, &c. they, be duly convicted of such offence according to this act; not liable to then, and in such case, such discoverer shall be discharged of all the forfeitures and penalties of this act, by him, her, or them

incurred previous to fuch discovery.

XVIII. And, in order to prevent the quashing of convictions of offenders against this act for want of form, be it further enacted, That the conviction and convictions of all and every offenders Howjustices to against this act shall be certified by the justice or justices of the proceed for peace before whom the same shall be made, to the next general offenders. quarter sessions of the peace, to be filed amongst the records of the faid sessions; and that such conviction shall be fairly written on parchment or paper in the following form of words, as the case shall happen, or in any other form of words to the like effect; that is to fay, (to wit,)

BE it remembered, That on the in the year day of

Form of conviction.

A. B. was, upon the complaint of C. D. convicted before of the justices of the peace for

in pursuance of an all passed in the year of the reign of his majefly King George the (as the case shall be).

Third, for Given under written.

band and seal, the day and year above

Which said conviction shall be good and effectual in law to all intents and purposes, and shall not be quashed, set aside, or adjudged void or insufficient, for want of any form or words whatloever.

XIX. And be it further enacted, That no Certiorari shall be On what conallowed to remove any conviction made, or other proceedings, ditions Certion of, for, or concerning any matter or thing in this act, unless the lowed. party or parties convicted shall, before the allowance of such Certiorari, become bound to the person or persons prosecuting

194

Anno decimo sexto Georgii III. c. 30. [1776.

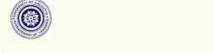
in the fum of one hundred pounds, with sufficient sureties as the justice or justices of the peace before whom the offender was convicted, with condition to pay unto the faid prosecutors, within thirty days after such conviction confirmed, on a Procedendo granted, their full costs and damages, to be ascertained upon their oaths; and shall become also bound to the justice or justices of the peace before whom such conviction was made, with fuch sufficient sureties as such justice or justices shall approve of, in the penalty of fixty pounds for each offence, with condition to profecute such writ of Certiorari with effect, and to pay such justice or justices the forfeitures due by such conviction, to be distributed as by this act is directed, or to render the perfon or persons convicted to such justice or justices, within thirty days next after such conviction shall be confirmed, or a Procedendo granted; and that in default thereof, it shall be lawful to proceed to the levying of the penalty mentioned in such conviction, in such manner as if no such Certiorari had been awarded.

How justices to proceed after confirmation of convictions.

Persons aggrieved may appeal to the quarter sestions; XX. And be it further enacted, That, after the confirmation of any conviction or convictions upon this act, by any of the superior courts at Westminster, and delivering the rule to the said justice or justices, whereby such conviction or convictions hath or have been so confirmed, it shall and may be lawful for such justice or justices to proceed against the party or parties convicted, in the same manner as if a Procedendo had been granted.

XXI. Provided always, and it is hereby declared and enacted, That if any person or persons shall think him, her, or themselves aggrieved by the judgement or determination of any justice or justices of the peace, upon conviction of or for any of the offences in this act, and thall not have fought his remedy by removing the matter by Certiorari, as aforesaid, such person or persons may appeal from the judgement of the said justice or justices, to the general or quarter seffions of the peace, to be held for the faid county, division, or place, where such person or persons was or were convicted, next after the expiration of twenty days from the time of fuch conviction; but the person or persons so appealing shall, and he, she, and they, are hereby required and directed to give at least fix days notice in writing to the profecutor or profecutors of fuch person or persons as shall so appeal, of such his, her, or their intention of bringing and profecuting such appeal, and of the matter thereof, and shall enter into recognizance before some justice or justices of the peace for the county, division, or place, wherein the conviction or judgment was made or given with two fufficient sureries, to be approved by the said justice or justices, on conviction to appear and try such appeal at the general or quarter session which shall be held in and for the county, division, or place, wherein such conviction or judgement was made or given, next and immediately after the expiration of ten days from the time of such conviction, and to abide by the order or determination of such court, and for payment of such costs and charges as

Mall,



#### 1776.7 Anno decimo sexto Georgii III. c. 30.

shall be awarded at the said court; and every such appeal and whose deterappeals shall, by the court at the said general or quarter sessions, mination shall to which such appeals or appeals is or are made, be shall be final. to which fuch appeal or appeals is or are made, be then examined, and the facts and circumstances of the case fully inquired into, and the matter then finally heard and determined; and in case fuch judgment, determination, or conviction, as aforesaid, shall be then and there affirmed, the party appealing shall pay unto the profecutor or profecutors, his, her, or their full costs, to be afcertained by order of the said court of general or quarter fessions.

XXII. Provided also, That in case any person or persons, Persons havthinking him, her, or themselves aggrieved, as aforesaid, shalling paid the have paid the penalty inflicted by this act for the offence of penalty, or which he, she, or they shall have been convicted, or shall be then foned, may imprisoned; every such person or persons having so paid, or appeal, &c. being so imprisoned, may appeal to such judgment, order, determination, or conviction as aforesaid, on entering into recognizance by himself, herself, or themselves only, and without any furety or fureties, conditioned as before mentioned, the faid penalty remaining in the hands of such justice or justices, or such person or persons continuing in prison in the mean time, and until the merits of the said appeal shall be heard and finally determined.

XXIII. Provided also, That no such conviction made, or Proceedings judgment given as aforefaid, shall be set aside by the said court not to be or general or quarter sessions, for want of form, or for want of quashed for stating, or through the mistating of any facts, circumstances, or &c. matter whatfoever, in case the facts alledged in the said conviction, or on which the same shall be grounded, shall be proved to the satisfaction of the said court; but such appeal and appeals shall be decided on the merits of the case only; nor shall such conviction or judgment be removed or removeable by Gertiorari, or any other writ or process whatsoever, into any of his Majesty's courts of record at Westmirster; any law or statute to the contrary notwithstanding.

XXIV. Provided also, and be it enacted, That if any person Defendants or persons shall be sued or prosecuted for any matter or thing may plead the which he or they shall do in pursuance of this act, it shall and general isfue. may be lawful to and for the person or persons so sued or profecuted to plead the general issue, and give the special matter in evidence; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or suffer a discontinuance; or if upon a demurrer judgment shall be given against the plaintiff, the defendant shall have and recover his treble costs, and have Treble costs. the like remedy for the same as any defendant or defendants

XXV. And be it further enacted, That every profecution for Profecutions any offence against this act, shall be commenced within twelve under this act, calendar months, but not after, from the time of the offence to be comcommitted; and that such persons as shall be prosecuted under menced of the committed in and that such persons as shall be prosecuted under menced of the committed in months, &c. this act for any of the offences aforesaid, shall not be liable to

Vol. XXXI.

hath in any other case by law.

196

Anno decimo sexto Georgii III. c. 30. [1776. profecution for the same offences under any other act of parlia-

ment, or in any court of attachment, swainmote, eyre, or any

forest court.

Limitation of actions.

XXVI. And be it further enacted, That all actions, writs, and profecutions, to be commenced against any person or perfons for any thing to be done under or in pursuance of this act, shall be laid and tried in the county or place where the fact was committed, and shall be commenced within fix calendar months

after the fact committed, and not otherwise.

Commencement of this act.

Parts of various statutes repealed: 13 RIC. 2.

19 Hen. 7.

5 Eliz.

3 Jac. 1.

7 Jac. I.

13 Car. 2.

3 & 4 Gul. & Mar.

5 Geo. I.

10 Geo. 2.

XXVII. And be it further enacted, That this act shall commence and begin to be in force on the tenth day of June, in the year of our Lord one thousand seven hundred and seventy-six: and from and immediately after the commencement thereof, so much of the thirteenth chapter of the first part of the statutes made in the thirteenth year of the reign of Richard the Second, as inflicts a penalty on those who shall use heys, nets, or other engines, for destroying deer; so much of the eleventh chanter of the statutes made in the nineteenth year of the reign of King Henry the Seventh, as relates to deer; and also so much of an act, made in the fifth year of the reign of Queen Elizabeth, intituled, An all for punishing of unlawful taking fish, deer, or hawks, as relates to deer; and also so much of an act, made in the third year of the reign of King James the First, intituled, An act ogainst unlawful hunting, and stealing of deer and conies, as relates to deer; and also so much of an act, made in the seventh year of the reign of the said King James the First, intituled, An act for the explanation of one statute made in the second session of this prefent parliament, intituled, An act against unlawful hunting, and stealing of deer and conies, as relates to deer, except such part thereof as repeals any part of the statutes of the third of James before-mentioned; and also an act, made in the thirteenth year of the reign of King Charles the Second, intituled, An act to prevent the unlawful courfing, hunting, or killing of deer; as also an act, made in the third and fourth years of the reign of their late majesties King William and Queen Mary, intituled, An act for the more effectual discovery and punishment of deer stealers; and also an act, made in the fifth year of the reign of his late majesty King George the First, intituled, An all for making more effectual an act of the third and fourth years of the reign of King William and Queen Mary, intituled, An act for the more effectual discovery and punishment of deer itealers; and also so much of an act, made in the tenth year of the reign of his late majesty King George the Second, intituled. An all for continuing an act for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and doing injuries and violences to the person: and properties of his Majefry's jubjects, and for the more speedy oringing the offenders to juffice; and for the continuing two claufes to prevent the cutting or breaking down the bank of any river or fea bank, and to prevent the malicious cutting of hop-binds, contained in an all paffed in the fixth year of his present Majesty's reign; and for the more offeEtual punishment of persons removing any materials used for securing mar



marsh or sea walls or banks, and of persons maliciously setting on sire any mine, pit, or delph of coal, or cannel coal, and of persons unlawfully hunting or taking any red or fallow deer in forests or chaces, or beating or wounding keepers or other officers in sorests, chaces, or parks; and for the more effectually securing the breed of wild fowl; as relates to the second conviction of any person or persons for unlawfully coursing, hunting, taking in toyles, killing, wounding, or taking away, any red or fallow deer, in any open or uninclosed forest or chace, or relates to beating or wounding keepers or other officers in forests, chaces, or parks; shall be, and the same are hereby respectively repealed.

XXVIII. Provided always, and be it further enacted. That This act not nothing contained in this act shall extend to that part of Great to extend to

Britain called Scotland.

### C A P. XXXI.

An act for securing a fund, belonging to certain persons of the theatre royal Covent-garden, applicable to charitable uses; and for other purposes.

WHEREAS in or about the year one thousand seven hundred Preamble, and fixty-five, a contribution was begun at the theatre regal Covent-garden, towards the charitable purpose of estublishing a fund, for the Support of such performers belonging to the faid theatre as through age, infirmity, or accident, should be obliged to retire from the stage; and to the occasional relief of performers in case of sikness; and also to the relief and support of the widows and children of deceased performers belonging to the said theavre: and whereas, by the profits arising from the voluntary contributions of the performers belonging to the faid theatre, and others, and also by the profits which have arisen from some plays acted for the increase of the said fund, a capital, to the amount of four thousand three hundred pounds, or thereabouts, is now in the hands of certain trustees applicable to the purposes aforesaid: to the end therefore that the faid fund, and the growing produce thereof, may be effestually secured and duly applied, may it please your Majesty that it may be enacted; and be it enacted by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after subscribers the passing of this act, all and every the subscribers to the faid incorporated. fund for the time being, during such time as he, she, or they, respectively shall pay to the same, shall be, and are hereby declared to be, one body corporate and politick, in deed and in name, and thall be called by the name of The fociety established for Their name, the relief of indigent persons belonging to the theatre royal Covent- and powers. garden: and by the same name shall have perpetual succession and a common feal; and that they, and their fuccesfors, by the fame name may fue and be fued, implead and be impleaded, anfwer and be answered unto, in all or any courts or court of record, and places of judicature, within this kingdom of Great Britain: and that they, and their successors, by the name afore-P 2 la:d,

198

Anno decimo fexto Georgii III. c. 31. 1776.

faid, shall be able and capable in law to have, hold, receive, enjoy, possess, and retain, for the purposes aforesaid, all and every fuch sum and sums of money as have been paid, given, devised, or bequeathed, or shall at any time or times hereafter be paid, given, devised, or bequeathed, to and for the ends and purposes herein-before mentioned; and that they, and their fuccessors, by the name aforefaid, shall and may at any time hereafter, without licence in mortmain, purchase, take, or receive, hold, and enjoy, any lands, tenements, or hereditaments, not exceeding the yearly fum of five hundred pounds.

A committee appointed;

the common leal, &c.

make byelaws,

and appoint officers.

Officers to give fecurity.

First election of the committee.

II. And be it further enacted, That, from and after the paffing of this act, Thomas Hull, George Mattocks, Thomas Baker, John Dunstall, Frederic Charles Reinhold, Robert Bensley, Matthew Clarke, Richard Rotton, and William Thomas Lewis, shall be, and they are hereby appointed, a committee for managing the faid fund, until the thirty-first day of December, which shall be in the year of our Lord one thousand seven hundred and seventy-six: who may alter and that the faid committee and their successors, to be elected in manner herein-after mentioned, or the majority of such committee for the time being, shall have full power and authority, from time to time, to dispose of the said common seal, and to alter or make new the same, and to direct the use and application thereof; and to make, ordain, and constitute, such and so many byelaws, constitutions, orders, and regulations, as to them, or the major part of them, shall seem necessary and convenient for the appropriation of the faid fund, or touching, or in anywife concerning the affairs and business of the said society; and the same byelaws, constitutions, orders, and regulations, so made, to put in use and enforce accordingly, and at their will and pleasure to revoke, change, and alter the same, or any of them: which said bye-laws, constitutions, orders, and regulations, so as aforesaid made, shall be duly kept and observed by the said society, and every member thereof, provided the same be not contrary or repugnant to the statutes, customs, or laws of this kingdom, or the true intent and meaning of this act.

III. And be it further enacted, That the faid committee, or the major part of them, at a meeting assembled by virtue of this act, may, and are hereby impowered to appoint a treasurer or treasurers, and such other officers as they shall think necessary for the purposes of this act; and from time to time remove any fuch treasurer or other officer or officers, and appoint another or others in his or their stead, if they the said committee shall think fit; and shall, and are hereby required to take such security from their treasurer or treasurers, or other officers, as shall

be adequate to the trust reposed in him or them.

IV. And be it further enacted, That the faid committee shall meet together at some convenient place, in or near the said theatre, on the aforesaid thirty-first day of December, or within ten days after, for electing a committee for the year ensuing; and that, previous to fuch election, the names of all the committee for the time being shall be written on distinct pieces of paper, be-



#### Anno decimo fexto GEORGII III. C. 32. 1776.

ing all of an equal fize, and rolled up in the fame manner, as near as may be, and be put into a box, or some other convenient receptacle, and shall be shaken together, after which some perfon, not interested in such election, shall draw out the names, one by one, until the number remaining in the faid box or receptacle shall be reduced to fix, and the fix persons whose names shall so remain shall be fix of the committee for the ensuing year; after which the faid major part of the committee present shall proceed to elect three other persons from amongst the several subscribers to the said fund, (either such as were or were not of the committee for the preceding year) and the three perfons so elected, together with the fix persons whose names remained undrawn as aforesaid, shall be the committee for putting this act in execution for the year next enfuing: and the com-Elections to be mittee shall also meet together on or before the thirty-first day annual. of December in every succeeding year, and elect a committee in manner before-mentioned: and in case any one or more of the faid committee hereby appointed, or to be elected in manner aforesaid, shall die, or refuse to act in the execution of this act, the furviving or remaining committee-men shall and may meet together, at some convenient place, in or near the said theatre, and the major part of fuch as shall so attend shall and may elect a committe-man in the room and stead of each committee-man fo dying or refusing to act as aforesaid; and every committeeman so to be elected, in any or either of the cases aforesaid, shall have the same powers and authorities, for the purposes of carrying this act into execution, as the committee herein and hereby nominated and appointed are invested with.

V. Provided always, and be it further enacted, That at every A majority of annual election of a committee for the purposes of this act, a committeemajority of the committee-men for the ensuing year shall con- men to belong fift of persons belonging to or employed at the said theatre.

to the theatre.

VI. And be it further enacted, That this act shall be adjudg- Publick act. ed, deemed, and taken to be a publick act; and shall be judicially taken notice of as such by all judges, justices, and other persons whomsoever, without specially pleading the same.

#### CAP. XXXII.

An act to enable the company of proprietors of the navigation from the Trent to the Mersey, to make a navigable canal from the said navigation, on the fouth fide of Harecaltle in the county of Stafford, to Froghall, and a rail way from thence to or near Caldon, in the faid county; and to make other rail-ways.

Preamble. Act 6 Geo. 3. recited. Acts 10 Geo. 3. and 15 Geo. 3. recited. Company of proprietors impowered to make a branch from the fouth fide Harecastle to or near Caldon, etc. and to supply the same with water. Proprietors may enter on lands, and lay earth, stone, etc. Proprietors may make rail-ways, build bridges, etc. on lands adjoining; and also make towing-paths, banks, etc. for haling vessels; making satisfaction to the owners. Two parts to be made of the map and book of reference, which shall be certified by the speaker of the house of commons, and then allowed to be given in evidence. Canal to be made pursuant to the plan, etc. Land-owners being omitted in the book of reference, not to obstruct the making the canals, etc. Commissioners appointed, who are to settle and



# Anno decimo sexto Georgii III. c. 3 [1776.

determine differences. Tonnage allowed to be taken. If duties not paid on demand, company may sue for the same, or destrain the boat, etc. Company impowered to borrow 25,000l and to assign over the navigation as a fecurity. Form of affigument No preference to creditors on account of priority of affiguments. Application of money borrowed. Affignments may be transferred. Interest of money borrowed to be paid halfyearly. One half of the duties veiled in proprietors of coal-mines, as a lecurity for 5000i. to be paid quarterly As foon as the said 5000l. with interest, shall be paid, the naif part of the duties to be reveited in the company, etc. Preamble; reciting a contract, wherein certain proprietors of limestone quarries agree to deliver to the company, yearly, lime-stone at the rate of 7d. per ton. The above-mentioned contract ratified and A book to be provided, and entries to be made therein of the quantities of limestone ordered, etc. No order to be entered for less than 100 tons; and a deposit of 2d. per ton to be left with the clerk of the faid company. Orders for limettone may be given at other times of the year, on deputiting 4d. per con, etc. Penalty on either party making default, etc. At what times veffels loaded with lune or limettone may pais through the locks, etc. Occupiers of the forge or pool at Cunfall not to draw water lower than nine inches from the top of the weir. Provifo, for preferving the water of the river Churnett. Powers contained in three acts (6, 10, and 15 Geo. 3.) extended to the works to be executed by this act; except as excepted.

### CAP. XXXIII.

An act to remove the danger of fire amongst the ships in the port of Bristol, by preventing the landing certain commodities on the present quays; and for providing a convenient quay and proper places for landing and storing the same; and for regulating the said quay, and the lighters, boats, and other vessels carrying goods for hire within the said port of Bristol; and for other purposes therein mentioned.

Preamble. Master, wardens, and commonalty, of the society of merchant venturers, impowered to enlarge the Floating dock, and to build ftorehouses, etc. Ground allotted for a new quay. Rules to be observed by Timber planks, etc. not to be land: d on the present quays, after June 24, 1777; on penaity o: 501. This act not to extend to timber brought coaltwife; nor to prevent landing at private wharfs, etc. Duties now payable on the importation of certain articles, etc. to continue fo on being landed at the new quay. Rates to be paid for storing of goods, etc. Mayor and justices may lower the rates, etc. Tar, pitch, etc. not to be left on the quay longer than 7 days after gauging. Piece of ground to be appointed for laying up baiks, matts, etc. The fociety of merchants to provide sufficient warehouses, etc. for storing goods; or, in default thereof, to make good all damages. Bodies pointick, etc. possessed of certain lands in Cliffon, impowered to fell the fame. If any body politick, etc. refuse to treat, or cannot produce a title to the premiles, master, wardens, etc. may apply to commissioners herein-after named. A jury to be summoned. On neglect, etc. of commissioners, the master, etc may apply to the quarter fessions, who shall came the matter in dispute to be inquired into by a jury. Jurors may be hallenged, and witnesses examined on oath. Verdict of the jury, etc. to be final; and to be entered amongit the records, etc. In case corporation omit to pay sums awarded, the same may be levied by distress, etc Expences of a july now to be paid. On payment of purchase-money by the society, premites to be conveyed, etc. It parties cannot evidence their title to the premiles, etc. or if mortgagees refule to take in their montgage-money, such purchate money, or mortgage, to be paid into the chamber of the city of Brittol. Chamberlain to give receipts for fums received, which shall be entered on re ord, and the premises vested in the fociety. Purchase money to be paced our at interest. etc. Mesne profits recoverable, etc. Mortgagees, on payment or tender of mortgagemoney, to convey the premises, etc. : Money payable to bodies corporate, etc. to be reinvested in purchase of other estates. Contincts or agreements, already made, not invalidated by this act. Commissioners appointed.



## 1776.] Anno decimo sexto Georgii III. c. 34.

Part of the parish of Clifton exempted from the judicial jurisdiction of Gloucestershire, and made part of Bristol. This act not to make any alteration in relation to taxes, etc. in Clifton. Mayor and justices may settle the rates of porterage, etc. All vessels kept for carrying goods for hire, in the port of Bristol, to be registered. Other regulations relating to such vessels. Quay warden to examine all such vessels, etc. yearly; and if he shall discover any traud, to present the same, etc. Penalty on quaywarden for neglect of duty, etc. Offences against this act to be determined by justices, etc. Penalties and forfeitures how to be recovered and applied. Regulations for unloading etc. of vessels in the floating dock. Penalty for acting contrary thereto. Provito. Limitation of actions. General issue. Treble costs. Publick act.

### CAP. XXXIV.

An act for granting to his Majesty several duties on coaches, and other carriages therein mentioned; and several rates and duties upon indentures, leases, bonds, and other deeds; and upon cards, dice, and news-papers; and for raising the sum of two millions by annuities, and a lottery to be attended with annuities.

Most gracious Sovereign,

W E, your Majesty's most dutiful and loyal subjects, the commons Preamble.
of Great Britain, in parliament assembled, being desirous to raise the necessary supplies, which we have granted to your Majesty in this session of parliament, in the most safe, easy, and expeditious manner we are able, have voluntarily resolved to give and grant unto your Majesty the several and respective rates and duties herein-after expressed; and to that end and purpose do most humbly beseech your Majesly that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That An additional an additional rate or duty of twenty shillings per annum, be duty of 20s. raised, levied, collected, and paid, for and upon every coach, per ann. laid on all coaches, berlin, landau, chariot, calash with four wheels, chaise-marine, berlins, etc. chaife with four wheels, and caravan, or by what name soever fuch carriages now are, or hereafter may be called or known, kept by or for any person for his or her own use, or to be let out to hire, (other than and except such coaches and other car- except backriages as now are, or hereafter may be, licented by the commis- ney coaches. fioners for the duties arifing by hackney coaches); which faid yearly additional duty of twenty shillings shall from time to time be paid down by the person or persons keeping the same, in like manner, and at the same time, and be raised, levied, collected, and paid, by the same means and methods, and under the like rules, regulations, directions, and penalties, as the annual duty of four pounds, given and granted by an act of parliament, made in the twentieth year of the reign of his late majesty King George the Second, intituled, An act for granting to his Majesty several rates and duties upon coaches, and other carriages therein mentioned; and for raising the sum of one million, by way of lottery, to be charged upon the said rates and duties; is directed to be raised, levied, collected, and paid.

P 4

II. And



Anno decimo fexto GEORGII III. C. 34.

After July 5, 1776, Stagecoaches to pay a duty of 51.

II. And be it further enacted by the authority aforesaid, That, from and after the fifth day of July, one thousand seven hundred and seventy-six, there shall be raised, levied, collected, and per ann. each. paid, unto and for the use of his Majesty, his heirs and succesfors, for and upon every coach, berlin, landau, chariot, calash with four wheels, chaife-marine, chaife with four wheels, and caravan, or by what name foever fuch carriages now are, or hereafter may be, called or known, that shall be kept by or for any person or persons as publick stage-coaches, employed in carrying passengers for hire to and from different places within this kingdom, (other than and except fuch coaches and other carriages as now are, or hereafter may be, licensed by the commissioners for the duties arifing by hackney coaches) the yearly fum of five pounds for every such coach, berlin, landau, chariot, calash with four wheels, chaite-marine, chaife with four wheels, and caravan, or by what name soever such carriages now are, or hereafter may be, called or known, fo to be kept and employed as aforesaid; which said duty thall be paid by the person or perfons who keeps the fame.

Notice to be given, and payment made, agreeable to act 20 Geo. 7.

III. And be it further enacted by the authority aforesaid, That the person or persons keeping any such carriage or carriages, so to be employed as stage-coaches as aforesaid, shall, from time to time, give like notices, and make entry and payment in like manner, and under the like rules, regulations, means, and methods, directions, and penalties, as persons keeping coaches and other carriages for their own use, or to let out to hire, are, by the above-recited act, directed to do; any law, statute, custom, or usage, to the contrary notwithstanding.

IV. And whereas, by the faid recited act, it was provided, That no person should be obliged to pay the yearly sum of four pounds for more than five such carriages, on which the duty of four pounds a year. was thereby charged, to be kept by or for him or her, for his or for ber use only; be it further enacted and declared by the authority aforesaid, That, from and after the passing of this act, the said proviso, so far as relates to the exempting such carriages, being more than five in number, be, and the same is hereby repealed ages, repealed. and made null and void.

A clause in faid act, exempting perfons from paying for more than 5 carri-

After July 5, tional stampdentures, bonds, etc. ftamp.

V. And be it further enacted by the authority aforesaid, That, 1776, an addi- from and after the fifth day of fuly, one thousand seven hundred and seventy-six, there shall be raised, levied, collected, and paid, laid on all in- throughout the kingdom of Great Britain, unto and for the use of his Majesty, his heirs and successors, the rate and duty following; (that is to fay), For every skin, or piece of vellum or heretofore lia parchment, or sheet or piece of paper, upon which shall be in-ble to a shilling grossed, written, or printed, in Great Britain, any indenture, lease, bond, or other deed, for which a stamp-duty of one shilling is payable, by virtue of an act, made in the thirtieth year of the reign of his late majesty King George the Second, over and above all other rates and duties by the faid act, or by any other act of parliament imposed, an additional stamp-duty of one shilling.

VI. And



## 1776.] Anno decimo sexto Georgii III. c. 34.

VI. And be it further enacted by the authority aforesaid, After June 1, That, from and after the first day of June, one thousand seven 1776, an addihundred and seventy-six, there shall be raised, levied, collected, 6d. laid on and paid, throughout the kingdom of Great Britain, unto and every pack of for the use of his Majesty, his heirs and successors, the rates and playing cards, duties following; (that is to fay), For every pack of playing and 28.6d, on cards, made fit for fale or use, in Great Britain, the sum of fix-dice, made for pence, over and above the duties now payable thereon; and for fale. and upon every pair of dice, made fit for sale or use, in Great Britain, the fum of two thillings and fix-pence, over and above the duties now payable thereon; fuch respective duties to be paid by the makers of fuch cards and dice respectively.

VII. And be it further enacted by the authority aforesaid, After July 5, That, from and after the fifth day of July, one thousand seven 1776, an addi-hundred and seventy-six, there shall be raised, levied, collected, one halfpenny and paid, throughout the kingdom of Great Britain, unto and laid on every for the use of his Majesty, his heirs and successors, the rate and sheet or half duty following; (that is to fay), For and upon every news-pa- fleet of newsper, or paper containing publick news, intelligence, or occurrences, printed in Great Britain, to be dispersed and made publick, whether the same be contained in half a sheet or any less piece of paper, or in any paper larger than half a sheet, and not exceeding one whole sheet; upon every sheet, and half sheet thereof, over and above all other rates and duties by any act of par-

liament imposed, an additional duty of one halfpenny. VIII. And be it further enacted by the authority aforesaid, The said du-That, for the better and more effectual levying, collecting, and ties to be unpaying, all the said additional and new duties herein-before nagement of granted, the same shall be under the government, care, and the commissimanagement, of the commissioners for the time being appoint- oners of ed to manage the duties charged on stamped vellum, parchment, stamp-duties. and paper, who, or the major part of them, are hereby required and impowered to employ the necessary officers under them for that purpose, and to cause such new stamps to be provided, to denote the faid several additional duties, as shall be requisite in that behalf; and to do all other things necessary to be done for putting this act in execution, with relation to the faid several rates and duties herein-before granted, in the like, and in as full and ample manner, as they, or the major part of them, are authorised to put in execution any former law, concerning stamped vellum, parchment, or paper.

IX. Provided always, and be it further enacted by the autho- Commissionrity aforesaid, That, to prevent the multiplication of stamps upon ers may profuch pieces of vellum or parchment, or sheets or pieces of pa- vide a new per, on which several duties are, by several acts of parliament, stamp, to deimposed, it shall and may be lawful for the said commissioners, veral duties. instead of the distinct stamps directed to be provided to denote the feveral duties on the vellum, parchment, or paper, charged therewith, to cause one new stamp to be provided, to denote the faid feveral duties, and the duty granted by this act, on every

piece



Anno decimo sexto GBORGII III. C. 34. [1776.

piece of vellum or parchment, or sheet or piece of paper, charged with the faid feveral duties.

After July 5, 1776. a'l vellum, etc. liable to the new duty, to be carried to the stamp-office, etc before it is printed of wrote on.

X. And be it further enacted by the authority aforesaid, That all vellum, parchment, and paper, liable to the duty of one shilling hereby charged, shall, from and after the fifth day of July, one thousand seven hundred and seventy-six, before the same shall be ingrossed, written, or printed upon, be brought to the head office for stamping or marking vellum, parchment, and paper; and the faid commissioners, by themselves, or by their officers employed under them, shall forthwith, upon demand to them made by any person or persons, from time to time, stamp or mark, as this act directs, any quantities or parcels of vellum, parchment, or paper, as thall be so brought to them for that purpose, the persons so bringing the same, paying to the receiver-general of the stamp-duties for the time being, or his deputy or clerk, the several duties payable for the same by virtue of this act; which stamp or mark, to be put thereupon in pursuance of this act, shall be a sufficient discharge for the duty hereby payable for the vellum, parchment, or paper, so stamped or marked.

duties are to be paid.

XI. And be it further enacted by the authority aforesaid, To whom the That the several duties herein-before granted shall be paid, from time to time, into the hands of the receiver-general for the time being of the duties on stamped vellum, parchment, and paper, who shall keep a separate and distinct account of the several rates and duties, and pay the same (the necessary charges of raising, paying, and accounting for the same, being deducted) into the receipt of the Exchequer, for the purpose herein-after expressed, at fuch time, and in fuch manner, as any former duties on stamped vellum, parchment, or paper, are directed to be paid.

Commissioners to turnish the leveral parts of the kingdom with flainped velluin, parch. ment, eic.

XII. And be it further enacted by the authority aforesaid, That the faid commissioners for the time being shall take care that the several parts of the kingdom of Great Britain shall, from time to time, be sufficiently furnished with vellum, parchment, and paper, stamped and marked as by this act is directed; to the end that the subjects of his Majesty, his heirs and succesfors, may have it in their election either to buy the same of the officers and persons to be employed by the said commissioners, at the usual and most common rates above the said duties, or to bring their own vellum, parchment, or paper, to be stamped and marked as aforefaid.

The price ecc.

XIII. And be it further enacted by the authority aforesaid, That the price of such stamped veilum, parchment, or paper, whereof to be shall be yearly set, and such price marked, and such allowance fertled yearly, made, on present payment of the said duties for any quantity of the faid vellum, parchment, or paper, fo to be fold, in fuch manner as by any former law relating to stamped vellum, parchment, or paper, is directed.

Stamps may renewed, etc.

XIV. And be it further enacted by the authority aforesaid, be attered and That such stamps as the said commissioners are hereby directed



#### Anno decimo sexto Georgii III. c. 34. 1776.]

and authorized to provide and use, shall and may be altered and renewed, in such manner as any other stamps on vellum, parchment, or paper, are by any former law, relating to stamped vellum, parchment, or paper, directed to be altered and renewed; and that all persons who shall have in their custody or possession, any vellum, parchment, or paper, marked with the stamp or mark which shall be so altered or renewed, or on which, being already stamped with a stamp denoting any former duty, a new stamp is hereby directed to be impressed, shall have the like remedy and allowance as by any former law relating to stamped

vellum, parchment, or paper, is in like cases directed. XV. And be it further enacted by the authority aforesaid, That if any person shall counterfeit or forge, or procure to be Any person counterfeited or forged, any feal, stamp, or mark, to resemble counterfeiting any seal, stamp, or mark, directed or allowed to be used by this a stamp, etc. or any other act of parliament, for the purpose of denoting the duties by this or any other act of parliament granted; or shall counterfeit or resemble the impression of the same, with an intent to defraud his Majesty, his heirs, and successors, of any of the faid duties; or shall utter, vend, or sell, any vellum, parchment, or selling or paper, or any cards, dice, or news-papers, liable to any stamp-parchment, duty, with such counterfeit stamp or mark, knowing the same marked thereto be counterfeit; or shall privately and fraudulently use any with, feal, stamp, or mark, directed or allowed to be used by this or any other act of parliament relating to the stamp-duties, with intent to defraud his Majesty, his heirs, and successors, of any of the faid duties; every person so offending, and being thereof shall suffer lawfully convicted, shall be adjudged a felon, and shall suffer death as a fe-

death, as in cases of felony, without benefit of clergy.

XVI. And be it further enacted by the authority aforesaid, That all powers, provisions, articles, clauses, distribution of pe- Powers, penalties and forfeitures, and all other matters and things, pre-nalties, and scribed or appointed by any former act or acts of parliament re-forfeitures, of lating to the duties on vellum, parchment, and paper, on which former acts, any indenture, leafe, bond, or other deed, shall be ingroffed, duties on velwritten, or printed; or to the rates and duties on cards, dice, lum, parchand news-papers, and not hereby altered, shall be of full force ment, etc. apand effect with relation to the additional duties hereby imposed, plicable to this and shall be applied and put in execution for the railing, levying, collecting, and fecuring, the faid additional and new rates and duties hereby imposed, according to the true intent and meaning of this act, as fully, to ail intents and purposes, as if the same had severally and respectively been hereby enacted, with relation to the faid additional and new rates and duties hereby imposed.

XVII. And whereas a fraudulent practice has prevailed of felling cards that have been already used in play, calling the same second-hand cards, to the great injury of the revenue, for remedy whereof, be it Any person further enacted by the authority aforesaid, That, if any person selling cards to shall, from and after the passing of this act, sell or dispose of any be played with cards (by way of second-hand cards) in packs or parcels, after has been broke

the open.

Anno decimo fexto GEORGII III. c. 34. [1776.

shall forfeit 51.

the wrapper or cover, in which the same have been inclosed and tied, shall have been broke open, unless he or she shall, before fuch sale, mark the back or plain side of every painted or pictured card, in such manner as to render the same unfit to be used in play; every person so offending shall, for every pack of cards so for each pack, fold, forfeit the sum of five pounds; to be recovered and distributed in the manner directed by an act, made in the twentyninth year of his late majesty King George the Second, intituled, An all for granting to his Majesty an additional duty on cards and

duties to be carried to the finking fund.

XVIII. And be it further enacted by the authority aforesaid, Produce of the That all the monies arising by the said several and respective rates and duties, (the necessary charges of raising and accounting for the same excepted) shall, from time to time, be paid into the receipt of his Majesty's exchequer at Westminster, distinctly and apart from all other branches of the publick revenues, and shall, for the purpose aforesaid, be carried into, and made part of, the fund commonly called The Sinking Fund.

Preamble, reciting a re olution of the house of commons.

XIX. And whereas the commons of Great Britain, in parliament assembled, have resolved that, towards raising the supply granted to his Majesty in this session of parliament, the sum of two millions shall be raised in manner following; (that is to say) the sum of one million four hundred thousand pounds by annuities, after the rate of three pounds per centum per annum, with an additional capital in respect of the same, in manner herein-after mentioned; and the sum of six hundred thousand pounds by a lottery, attended with like annuities, after the rate of three pounds per centum per annum; and that every contributor towards raising the said sum of two millions, shall, in respect of every one hundred pounds subscribed, upon payment of seventy pounds to the cashier or cashiers of the governor and company of the bank of England, at the times, and in the manner, herein-after mentioned, have, and be intitled to, the principal fum of seventy-seven pounds and ten shillings, in three pounds per centum annuities, redeemable by parliament, (making together, in the whole, one million five hundred and fifty thousand pounds) and, on payment of the remaining sum of thirty pounds on every one hundred pounds so subscribed, to three tickets in a lottery, to consist of sixty thousand tickets, of the value of ten pounds each, amounting to fix hundred thousand pounds; and that the whole of the said sum of six hundred thousand pounds be distributed into prizes, such prizes to be converted into like three pounds per centum annuities, as aforesaid: and whereas, pursuant to, and upon the several terms and conditions expressed in the said refolution, several persons have, in books opened at the bank of England for that purpose, subscribed together the whole sum of two millions, and made deposits of fifteen pounds per centum, on the respective fums by them subscribed, with the coshiers of the governor and company of the bank of England; be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for all persons, bodies politick or corporate, and their executors, admade deposits, ministrators, successors, and assigns, who have made such depofits with the cashier or cashiers of the said governor and com-

All persons wno have puriuant to the aforefaid

pany



## 1776.] Anno decimo sexto GEORGII III. C. 34.

pany of the bank of England, (which cashier or cashiers is and resolution, are are hereby appointed the receiver and receivers of fuch contri-required to butions, without any other warrant to be had on that behalf) to mainder of advance and pay, and they are hereby required to advance and their fubfcrippay, unto the faid cashier or cashiers, of the said governor and tions at cercompany of the bank of England, the several remainders of the tain times fums by them respectively subscribed towards the said sum of specified. two millions, at or before the respective days and times, and in the proportions herein-after limited and appointed in that behalf; (that is to fay) in respect of the said sum of one million four hundred thousand pounds, the further sum of fifteen pounds per centum, on or before the thirtieth day of May, one thousand feven hundred and seventy-fix; the further sum of twenty pounds per centum, on or before the twenty-eighth day of Juna then next following; the further sum of fifteen pounds per centum, on or before the thirty-first day of July then next following; the further sum of fifteen pounds per centum, on or before the tenth day of September then next following; and the remaining fum of twenty pounds per centum, on or before the twenty-fourth day of October then next following: and in respect of the sum of six hundred thousand pounds to be raised by lottery, the further fum of twenty-five pounds per centum, on or before the fourteenth day of June, one thousand seven hundred and seventy-six; the further sum of thirty pounds per centum, other part thereof, on or before the tenth day of August then next following; and the remaining fum of thirty pounds per centum, on or before the third day of October then next following.

XX. And be it further enacted by the authority aforesaid, That every contributor, his, her, or their executors, administra- Contributors tors, successors, and assigns, shall have, and be intitled to, an entitled to an annuity, after the rate of three pounds per centum per annum, up-annuity of on his, her, or their part or share in the sum of one million five ann. from hundred and fifty thousand pounds, being the amount of the April 5,1776. capital of feventy-feven pounds and ten thillings to be allowed to each subscriber of seventy pounds, as aforesaid, for one quarter of a year, from the fifth day of April, one thousand seven hundred and seventy-six, to the sifth day of July following, to be paid and payable at the bank of England, as foon after the faid fifth day of July, one thousand seven hundred and seventy-six, as fuch contributors shall have completed his, her, or their payments, towards raising the said sum of one million four hundred thousand pounds; and from thenceforth shall be paid by halfyearly payments, in even and equal portions, on the fifth day of January, and the fifth day of July, in every year.

XXI. And be it further enacted by the authority aforesaid, 600 0001. to That the said sum of six hundred the sand pounds to be raised be raised by a by a lottery, and distributed into prizes as aforefaid, shall carry lottery, to an annuity after the rate of three pounds per contum per annum, carry an interedeemable by parliament, to commence and be computed from rest of 3 per the fifth day of January, one thousand seven hundred and seven-cent.



## Anno decimo fexto GEORGII III. C. 34.

ty-feven, and shall be paid by half-yearly payments, in even and equal portions, on the fifth day of July, and the fifth day of Ja-

nuary, in every year.

be allowed interest for all monies paid in advance.

XXII. And be it further enacted by the authority aforefaid, Subscribers to That all such subscribers, their executors, administrators, succeffors, and affigns, paying in the whole of the fums by them respectively to be paid, on account of their contributions towards raising the said sum of one million four hundred thousand pounds, at any time after the fifth day of July, one thousand feven hundred and feventy-fix, and before the feventh day of September following; or on account of his, her, or their respective share in the said lottery, for six hundred thousand pounds, on or before the eighth day of August next, shall be intitled to an allowance of so much money as the interest of such fum, so paid in advance for completing his, her, or their contribution respectively, shall amount unto, after the rate of three pounds per centum per annum, from the day of completing the fame, to the twenty-fourth day of October, one thousand seven hundred and feventy-fix, in respect of the sum paid on account of the afore-mentioned fum of one million four hundred thoufand pounds; and from the day of the actual payment to the third day of Ustober, one thousand seven hundred and seventyfix, in regard to the fum of fix hundred thousand pounds to be contributed for a lottery, as aforesaid; such allowance to be paid by the said cashier or cashiers, out of the monies to be contributed in purluance of this act, as foon as fuch respective contributors, their executors, administrators, successors, or assigns, Subscribers to shall have completed such payment: and that all the subscribers paying in the or contributors, their executors, administrators, successors, and whole of their assigns, paying in the whole of the sum or sums to be by him, fubscriptions, her, or them, paid and advanced, towards raising the said sum of fix hundred thousand pounds by a lottery as aforesaid, shall have lottery tickets delivered to him, her, or them, to the amount of the fum or fums by them respectively subscribed and paid for the purchase thereof, at the rate of ten pounds sor each ticket,

shall receive tickets to the amount thereof.

bank to give receipts to contributors for money received;

of the trealury;

as foon as fuch tickets can conveniently be made out. XXIII. And be it further enacted by the authority aforesaid, Cashier of the That the cashier or cashiers of the governor and company of the bank of England, who shall have received or shall receive any part of the faid contributions, towards raising the faid sum of one million four hundred thousand pounds by annuities, and six hundred thousand pounds by a lottery, shall give a receipt or receipts in writing, to every such contributor, for all such sum and fums of money fo received by him or them, and that fuch which shall be receipts shall be assignable by indorsement thereupon made, at affignable, etc. any time before the fifth day of December, one thousand seven Cashiertogive hundred and seventy fix, and no longer: provided always, that fecurity, to the fuch cathier or cashiers shall give security, to the good liking good liking of of any three or more of the commissioners of the treasury, or the high treasurer for the time being, for duly answering and paying into the receipt of his Majesty's exchequer, for the pub-



#### Anno decimo fexto GEORGII III. C. 34. 1776.]

lick use, all the monies which he or they hath or have already received, and shall hereafter receive, from time to time, of and for the faid fum of two millions, and for accounting duly for the same, and for performance of the trust hereby in him and them reposed; and shall, from time to time, pay all such monies, as and to pay all foon as he or they shall receive the same, or any part thereof, or monies rewithin five days afterwards at the farthest, into, and shall ac- ceived into the count for the same in the exchequer, according to the due course thereof, (deducting thereout fuch fums as shall have been paid by him or them, in pursuance of this act) for which sums so paid, allowance shall be made in his or their accounts.

XXIV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for three or more of the com. Commissionmissioners of the treasury, or the high treasurer for the time be- ers of the treaing, to iffue and apply, from time to time, all fuch fums of mo- fury impowerney, as shall be so paid into the receipt of his Majesty's exche-money paid in quer, by the said cashier or cashiers, to such services as shall then by the cashier. have been voted by the commons of Great Britain, in this pre-

fent fession of parliament.

XXV. And be it further enacted by the authority aforesaid, That in the office of the accomptant-general of the governor A book to be and company of the bank of England, for the time being, a book provided in or books thall be provided and kept, in which the names of the ant-general's contributors shall be fairly entered; which book or books the office inwhich faid respective contributors, their respective executors, admini- contributors strators, successors, and assigns, shall and may, from time to names shall be time, and at all seasonable times, resort to, and inspect, without fairly entered, any fee or charge; and that the faid accomptant-general shall, on or before the fifth day of July, one thousand seven hundred and seventy-six, transmit an attested duplicate, fairly written on paper, of the faid book or books, into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

XXVI. And be it further enacted by the authority aforefaid, That fuch contributors only paying their contribution-monies, Such contriat or before the respective times in this act limited in that behalf, butors only, and their respective executors, administrators, successors, and wno pay their assigns, shall have, receive, and enjoy, and be intitled, by virtue contributionof this act, to have, recei e, and enjoy, their proportionable cording to share of the faid annuities of three pounds per centum per annum, this act, intiby this act granted, and thall have good and fure interest and tled to have estates therein; subject nevertheless to redemption, as is herein-their share of after mentioned; and that all the annuities by this act granted thall be free from all taxes, charges, and impositions whatsoever: Money paid provided always, That in case any such contributors, who have to part, and already deposited with, or shall hereafter pay to the faid cashier ed. shall be or cathiers, any fum or fums of money, at the times and in the fortened to the manner before-mentioned, in part of the fum or fums to be by publick. them respectively contributed or paid, towards the faid sum of two millions, or their respective executors, administrators, succeffors, or affigns, shall not advance and pay, to the faid cashier



# Anno decimo sexto Georgii III. c. 34. [1776.

or cashiers, the residue of the sum or sums so to be contributed or paid, at the times and in the manner before-mentioned; then, and in every such case, so much of the respective sum or sums as shall have been actually paid, in part thereof, to the said cashier or cashiers, shall be forfeited for the benefit of the publick; and all right and title to the said annuities, after the rate of three pounds per centum per annum, in respect thereof, shall be extinguished; any thing in this act contained to the contrary thereof in anywise notwithstanding.

As foon as contributors have completed their payments,

the fums fubfcribed, etc. to be, in the books of the bank, placed to their credit.

XXVII. And be it further enacted by the authority aforesaid, That, as foon as any contributors, their executors, administrators, successors, or assigns, shall have completed their payments of the whole fum payable by them respectively towards the said fum of one million four hundred thousand pounds, the principal fum or fums so by them subscribed and paid respectively, together with the additional capital of feven pounds and ten shillings for every seventy pounds by them advanced and paid, shall forthwith be, in the books of the bank of England, placed to the credit of such respective contributors, their executors, administrators, successors, and assigns, completing such payments respectively; and the persons to whose credit such principal sums shall be so placed, their respective executors, administrators, successors, or assigns, shall and may have power to assign and transfer the fame, or any part, share, or proportion thereof, to any other person or persons, body or bodies politick or corporate, whatfoever, in the books of the bank of England, and fuch fums shall carry an annuity after the rate of three pounds per centum per annum, and shall be taken and deemed to be stock transferrable, according to the true intent and meaning of this act, until redemption thereof, in such manner as is herein-after mentioned.

Annuities granted bythis act charged upon the finking fund.

XXVIII. And be it further enacted by the authority afore-faid, That all the annuities by this act granted and made payable, in respect of the said sum of two millions, together with the additional capital thereto, shall, from the respective commencements thereof, be charged and chargeable upon, and are hereby charged upon, and made payable out of, the monies which shall from time to time arise, and be in the receipt of his Majesty's exchequer, of or for the surplusses, excesses, overplusmonies, and other revenues, composing the sund, commonly called The Sinking Fund, after paying, or reserving sufficient to pay, all such sums of money as have been directed, by any former acts of parliament, to be paid out of the same.

Managers and directors of the lottery to be appointed by the treasury. Method of the lottery books. Ticket. Managers to examine the books with the tickets, and deliver them to the cashiers of the bank, taking a receipt for the same. Cashiers to return the books, with the undisposed tickets, with an account of monies paid in. Undisposed tickets to be delivered into the exchequer. Tickets of the middle columns to be rolled up, and sastened with thread or silk; and cut off indentwise into a box marked with the letter (A). Box to be locked up, and sealed. Books to be prepared with two columns, on each of which so,000 tickets are to be

printed.



# 1776.] Anno decimo sexto Georgii III. c. 35, 36.

printed. The number and value of the fortunate tickets. 1000 l. to each first drawn ticket of the first 3 days, and 1000l. to the last drawn. Tickets of the outermost columns of the last-mentioned book to be rolled up and tied. Publick notice to be given of putting the tickets into the boxes. Lottery to begin drawing on Nov. 13, 1776. Method to be observed in drawing, &c. Number of the fortunate tickets, and the fums to be print-Disputes to be adjusted by the managers. Penalty on forging tickets, &c. Felony. Offenders, not in prison, discovering persons guilty, to receive a pardon, and 501. reward. Provito. Managers to be sworn. The oath. Cashier may receive the sums subscribed, before receiving the lottery book, giving a note for the same; which shall intitle the bearer to a ticket for every 101. fo paid. Contributors not making good their payments within the times limited, forteit their deposits with respect to the lottery; and the tickets for fuch fums to be delivered into the exchequer. Limitation of the fale of chances, &c. Penalty. Office keepers, &c. felling shares in tickets of which they are not possessed, forfeit 5001. and suffer 3 months imprisonment. Offences committed in Ireland against acts for preventing unlawful lotteries, made punishable: penalties may be sued for in Dublin. Tickets to be exchanged for certificates. Managers to give notice of the times for such exchange. Certificates to be numbered. Books to be kept for entering the names of persons bringing tickets to be exchanged, &c. Certificates to be figned, &c. Accountant-general of the bank to give credit to the persons named in certificates for sums thereinmentioned; which may be assigned; and shall carry 3 per cent. interest, &c. Governor, &c. of the bank to appoint a chief cashier and accountantgeneral. Monies to be issued at the exchequer to the chief cashier, for payment of annuities created by this act. Accountant-general to examine receipts and payments. Annuties deemed personal estate. All monies to which any persons shall be intitled by this act, to be added to the joint stock of annuities transferrable at the bank; and to carry an interest of 3 per cent. Books to be kept by accountant-general, wherein shall be entered all transfers of fums advanced on this act. Method of transferring. Persons possessed of stock may devise the same by will, &c. Transfers not subject to stamp duties. Commissioners of the treasury to discharge all incident charges attending the execution of this act. The bank to continue a company till redemption of the annuities. No fee to be taken for receiving or paying the contribution-monies, or for issuing receipts, on penalty of 201. General issue. Treble costs.

#### C A P. XXXV.

An act for raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand seven hundred and seventy six.

#### C A P. XXXVI.

An act for the encouragement and improvement of the pilchard-fishery carried on within the bay of Saint Ives, in the county of Cornwall.

Preamble. Boundaries of the fix stems ascertained. Poles to be erected to diffinguish the boundaries of some of the stems. Time of continuing upon the items 'imited. The manner of taking items, and what intitles a boat thereto. No tuck-net to intitle a boat to take item. Time and manner of regit ering the turns or stems. Stems not registered to be forfeited. Penalty for making falle register. Boats quitting a stem, others to succeed according to order, &c. Any boat taking a tresh turn, after having shot her seyne-net, &cr Owner to forfeit sol. Stems at Carn Crowze, Pedn Olver, and Porthminster, to be forsested by going to the fouthward of Porthminster station, &c. Stem to be forfeited by landing the warp rope in another station. Dimensions of the seynes, tow-rope, and warp-rope. Seyne to be moored only with forty fathoms, and feyneanchors to have but one flock. Clerk, or register, by warrant, may enter any boat to measure the warp-ropes and mooring ropes, &c. Expences of measuring, how to be paid. Penalty on obstructing the entry of the clerk, Sec. Every anchor used in mooring to have a sufficient buoy and buoy-VOL. XXXI.



## Anno decimo fexto GEORGII III. C.37. [1776.

rope; on penalty of 10s. Penalty on leaving boats at anchor without five men on board. Penalty on putting a boat to fea, &c. before the warp-rope is landed. Regulations for shooting the seyne. Proviso. Second boat not to put to sea till the first boat hath shot her seyne. When seyne is partly shot in one stem, the remainder may be shot in the adjoining stem, if the fish go thither. When feyne is shot, it may be worked through and moored in any other stem. Two seynes may be moored together, with 10 anchors on the north and fouth fides of fuch feynes. When the anchors of the outermost feynes drive, the owners of such seynes to replace the seyne. One anchor to the bunt of every seyne. Seyne that is first moored to attend the mooring of every other seyne. Penalty for cutting off any rope belonging to teynes, &c. Proviso, relating to vessels going into or out of harbour. Times for shooting the seynes upon the several stems or stations. Owners of feynes, shooting at improper times, to forfeit 201. for each offence. Commencement, &c. of shooting the seynes to be made known by a fignal. At what times the boats having turn on one stem, may shoot their seyne nets within the limits of another stem. Register to be appointed: his duty, and falary. Penalty on register receiving bribes, &c. Register not to be interested in the pilchard-fishery, &c. Penalty on fishing for hook-fish, &c. between July 25, and December 25. Penalty on boats not keeping within 20 fathoms of the shore, between July 25, and December 25. Gurries to be measured and marked; on penalty of 11. 18. Partnerships may alter the fize of gurries. Penalties and forfeitures how to be recovered and applied. If sufficient distress cannot be found, offender to be committed. Justices for the county, in certain cases, may put this act in execution. How mayor or justices to proceed, in case offender escape into another county, &c. Prosecutions to be commenced within 2 months after offences committed. Small penalties may be mitigated. How justices to proceed for conviction of offenders. Form of conviction. Persons aggrieved may appeal to the quarter sessions, who may hear and determine the matter of such appeal: their order to be final. Limitation of actions. General issue. Treble costs. Publick act.

### C A P. XXXVII.

An act for allowing the exportation of certain quantities of wheat, and other articles, to his Majesty's sugar colonies in America, and to the island of Saint Helena, and to the other settlements belonging to the united company of merchants of England trading to the East Indies, and of biscuit and pease to Newfoundland, Nova Scotia, Bay Chaleur, and Labrador; and for indemnifying all persons with respect to advising or carrying into execution his Majesty's orders of council already made for allowing the exportation of wheat, and other articles.

Preamble. Act 13 Geo. 3. recited.

WHEREAS by an act of parliament, made in the thirteenth year of his Majesty's reign, (intituled, An act to regulate the importation and exportation of corn), whenever the prices of certain species of British corn or grain exceed the prices therein limited, the exportation thereof from this kingdom is prohibited under certain penalties in the said act mentioned, except in particular cases allowed by that and several subsequent acts of parliament: and whereas certain quantities of wheat, meal, flour, bread, and biscuit, which were allowed to be exported to the British sugar colonies in America, for the sustenance and use of the inbabitants of the said colonics, and certain quantities of biscuit and pease allowed to be exported to the island of Newfoundland, for the benefit of the British sistery there, by two several acts of parliament, made in the sourteenth year of the reign of



#### Anno decimo fexto Georgii III. C. 37. 1776.]

his present Majesty, the one intituled, An act to allow the exportation of corn, grain, and other articles, to his Majesty's sugar colonies in America; and to extend the provisions of an act, made in the last session of parliament, (intituled, An act to regulate the importation and exportation of corn), allowing the exportation of wheat, meal, flour, rye, barley, or malt, to the islands of Guernsey and Fersey, to bread, biscuit, and pease; and to allow the exportation of all the said articles to the island of Alderney: and the other intituled, An act to allow the exportation of a limited quantity of biscuit and pease to the island of Newfoundland, for the benefit of the British fishery there; bave been rendered insufficient by the interruption which has been given to trade, and the troubles and disturbances which are still subsisting in many of the colonies in North America, and the inhabitants of the said sugar colonies, and the British subjects carrying on the fishery at Newfoundland, and at other parts in America, may be put under great difficulties and distress at this time, without further supplies from this kingdom: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this Certain quanact, it shall and may be lawful to ship and export, from the ties of wheat, ports of London, Bristol, Liverpoole, and Glasgow only, any quan- bread,&c. altity of wheat, wheat flour, bread, biscuit, and meal; that is to exported from fay, Not exceeding in the whole, from the port of London, firty London, Brithousand quarters; from the port of Bristol, twenty thousand stol, Liverquarters; from the port of Liverpoole, twenty thousand quarters; poole, and and from the port of Port Glasgow, ten thousand quarters; at any time or times before the first day of January, one thousand seven hundred and seventy-seven, to his Majesty's sugar colonies in America, for the sustenance and use of the inhabitants of the faid colonies: and that it shall and may be lawful to ship and cities of bisexport biscuit and pease, out of and from the several ports in this cuit and pease kingdom herein-after mentioned, to the feveral places herein- allowed to be after named, for the benefit of the British fishery carried on in exported to those parts, so as the same do not exceed the several quantities Newfoundrespectively limited to those places, any thing in the faid recited the benefit of acts, or either of them, to the contrary notwithstanding; (that the fishery, is to fay),

from the ports herein after

To the island of Newfoundland, two hundred and fifty tons mentioned. of biscuit, and three hundred quarters of pease.

To Nova Scotia, two hundred tons of bifcuit, and three hundred quarters of peafe.

To Bay Chaleur, two hundred tons of biscuit, and three hundred quarters of peafe.

To Labrador, two hundred tons of biscuit, and three hun-Ldred quarters of peafe.

From the port of I



Anno decimo sexto Georgii III. c. 37. [1776.

To Newfoundland, two hundred tons of biscuit, and two hundred and fifty quarters of peafe.

To Nova Scotia, one hundred and fifty tons of biscuit, and

two hundred quarters of peafe.

To Bay Chaleur, one hundred and fifty tons of biscuit, and two hundred quarters of peafe.

To Labrador, one hundred and fifty tons of biscuit, and Ltwo hundred quarters of peafe.

To Newfoundland, three hundred tons of biscuit, and three hundred quarters of peafe.

To Nova Scotia, one hundred tons of biscuit, and one hundred quarters of peafe.

To Bay Chaleur, one hundred tons of biscuit, and one hundred quarters of peafe.

To Labrador, one hundred tons of biscuit, and one hun-Ldred quarters of peafe.

To Newfoundland, three hundred and fifty tons of biscuit, and three hundred and fifty quarters of peafe.

To Nova Scotia, one hundred and fifty tons of biscuit, and one hundred and fifty quarters of peafe.

To Bay Chaleur, one hundred and fifty tons of biscuit, and one hundred and fifty quarters of peafe.

To Labrador, one hundred and fifty tons of biscuit, and one hundred and fifty quarters of peafe.

> To Newfoundland, four hundred tons of biscuit, and fix hundred quarters of peafe. To Nova Scotia, two hundred tons of biscuit, and

two hundred quarters of peafe.

To Bay Chaleur, two hundred tons of biscuit, and two hundred quarters of peafe.

To Labrader, two hundred tons of biscuit, and two Lhundred quarters of peafe.

To Newfoundland, one hundred and fifty tons of bif-Cuit, and one hundred and thirty quarters of pease.

To Newfoundland, fixty tons of biscuit, and one hundred and twenty quarters of peafe.

To Newfoundland, one hundred tons of biscuit, and one hundred and twenty quarters of pease.

II. And whereas by an all, passed in the thirteenth year of his present Majesty's reign, (intituled, An act to regulate the importation and

From the port of Brifiel.

From the port of Poole.

From the port of Dartmouth,

From the ports of Topham and Tigmouth, within the port of Exeter, not exceeding in the whole from both places.



#### Anno decimo sexto Georgii III. C. 37. 1776.]

exportation of corn) it was (amongst other things) enacted, That nothing therein contained should extend to prohibit the exportation from the port of London, to the island of Saint Helena, of any quantity of wheat, meal, flour, rye, barley, or malt, not exceeding five hundred quarters in the whole, for the sustenance and use of the inhabitants thereof, under the restrictions and upon the conditions therein mentioned: and whereas the said quantity of five hundred quarters of wheat, meal, stour, rye, barley, or malt, is not sufficient for the necessary use and consumption of the said island of Saint Helena, and for the united East India company's settlements in the East Indies; be it therefore enacted by the authority aforesaid, That, from and af- East India ter the passing of this act, it shall be lawful for the said united company imcompany to export annually from Great Britain to the faid island export annuof Saint Helena, Bencoolen, and to their fettlements in the East ally 1000 quar-Indies, or any of them, any quantity of wheat, wheat meal, flour, ters of wheat, rye, barley, or malt, not exceeding one thousand quarters in the flour, &c. from Great Britain whole, under the restrictions and upon the terms and conditions to Saint Helein the said recited act provided and contained, as respecting the na, Bencoolen, quantity of wheat, and other articles, thereby allowed to be ex- &c. ported to the said island of Saint Helena; any thing in the said recited act contained to the contrary thereof not withstanding.

III. Provided always, and it is hereby further enacted by the authority aforesaid, That the said articles exported as aforesaid, The said artiin pursuance of this act, shall be subject to the like securities at ject to the like the respective ports from whence they are exported, that the securities, &c. fame shall not be landed or fold in any parts whatsoever other on exportathan the respective places for which the same shall be entered and tion, as directdeclared for exportation, and in all other respects not altered by ed by act 14 this act shall be liable to such and the like rules, restrictions, and regulations; and the persons granting or making any false certificate, or counterfeiting, erasing, or falsifying any certificate, or knowingly publishing such certificate so counterfeited, erased, or falsified, shall be subject to the same disabilities, penalties, and forfeitures, as are respectively prescribed and directed by the said recited acts, made in the fourteenth year of his Majesty's reign; which penalties and forfeitures shall and may be sued for, profecuted, and recovered, and applied, in the manner directed by those acts.

the thirtieth day of June last, was pleased to order that a quantity of biscuit, not exceeding one thousand tons, should be allowed to be exported to Newfoundland, Nova Scotia, Bay Chaleur, and Labrador, from the date thereof, until the twenty-fourth day of July following, which time was afterwards prolonged by his Majesty's further order in council, bearing date the eleventh day of August last; and his Majesty, by another order in council, bearing date the twelfth day of July last, was pleased to order that two hundred tons of biscuit should be allowed to be exported to Newfoundland, from the port of Liverpoole; and also

IV. And whereas his Majesty, by an order in council, hearing date

that fifty tons of biscuit, and one hundred quarters of pease, should be allowed to be exported from the port of Weymouth; and likewise two hundred quarters of pease from the port of Poole; which said orders

powered to



Anno decimo fexto GEORGII III. C. 38. [1776.

orders could not be justified according to the strict forms of law, and yet were so much for the service of the publick, and so necessary for the safety and preservation of his Majesty's subjects in those parts, that the same ought to be justified by act of parliament; and all perfons advising, acting under, or in obedience to the same indemnified; be it therefore enacted by the authority aforesaid, That all and Clause for in- every person and persons who have or shall have acted or done demnifying all any thing in advising or executing the said orders of council, or touching or concerning the same, or relating thereto, shall be and are hereby faved harmless, discharged, acquitted, released, and indemnified in that behalf, as well against the King's majesty, his heirs and successors, as against all and every other person and persons; and all suits and proceedings for any manner of thing discharged by this present act, shall be utterly void and of none effect, to all intents and purposes; any law, statute, or usage, to the contrary notwithstanding.

persons adviling or executing certain orders of council for allowing exportation of bifcuit, &c.

### C A P. XXXVIII.

An all for the relief of insolvent debtors; and for the relief of bankrupts, in certain cases.

Preamble.

WHEREAS many persons, by losses and other misfortunes, are rendered incapable of paying their whole debts; and though they are willing to make the utmost satisfaction they can, and many of them are able to serve his Majesty by sea or land, yet are detained in prison by their creditors, or have been forced to go into forcign parts out of this realm: and whereas such unhappy debtors have always been deemed the proper objects of publick compassion, and, by several acts of parliament, have been discharged on the conditions in such acts mentioned; for the relief, therefore, of insolvent prisoners and fugitives, who shall comply with the terms contained in this act, to be respectively observed by them, and faithfully discover upon oath, and deliver up and assign all their effects and estates what soever, for the benefit of their creditors, and to prevent, as far as possible, the many frauds and abuses, which, in a great measure, have obstructed the good ends of fuch acts; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, all and every gaoler or keeper of any prison, in any county, riding, division, city, town, place, or liberty, within this kingdom, shall, is, and are hereby required to make a true, exact, and perfect list, alphabetically, of the name or names of all and every person or persons, who, upon the twenty-second day of January, one thousand seven hundred and seventy-six, was or were, or at any time fince have been, under the terms and conditions herein mentioned, and at the time of making out every fuch list shall be, really an actual prisoner or prisoners, in the custody of any gaoler or gaolers, keeper or keepers of any prison respectively, upon any process whatsoever, for or by reason of any debr, damage, costs, sum or sums of money, con-

Alphabetical lists to be made out of prisoners in cultody for debt on Jan. 22, 1776, or fince that date;



# 1776.] Anno decimo fexto Georgii III. c. 38.

tempt, or otherwise; and an account of the time when such with the time prisoner or prisoners was or were respectively charged in custody, when charged or received in prison, together with the name or names of the and at whose person or persons at whose suit or prosecution such prisoner or suit. prisoners is or are detained; and shall deliver the same to the Lists to be de. justices of the peace, at their first or second general quarter livered to the festions of the peace, to be held after the passing of this act, or quarter selat fome adjournment thereof, for fuch county, riding, division, fions. city, town, place, or liberty respectively.

11. And be it further enacted, That the warden of his Ma- Warden of the jesty's prison of the Fleet, and marshal of the King's Bench Prison, Fleet, &c. to shall severally, on the delivering in of any such list of prisoners take an oath in their respective custody, take an oath, in the open court of in lists. fuch general quarter session of the peace, or at some adjourn-

ment thereof, to the effect following; (that it to fay:)

T A. B. upon my corporal oath, in the presence of almighty God, do The oath. 1 Solemnly Swear, profess, and declare, That all and every person and persons, whose name or names is or are inserted and contained in the first part of the list by me now delivered in and subscribed, was and were, to the best of my knowledge and belief, upon the twenty-second day of January, one thousand seven hundred and seventy-fix, really and truly prisoners, in actual custody, in the prison or gaol of

[insert the name of the prison,] at the suit or suits of the several person or persons therein respectively mentioned; and also, that all and every person and persons, whose name or names is or are inserted or contained in the second part of the said list, now by me delivered in and subscribed as aforesaid have, since the said twenty-second day of January, one thousand seven hundred and seventy-fix, been committed or surrendered to the faid gool or prison of

[intert the name of the gaol or prison,] at the fuit or fuits of the Jeveral person or persons therein respectively mentioned; except such person or persons who is or are in such list particularly mentioned and described to have died, ben discharged, or removed to some other prison, by process of law, since the said twenty-second day of January, one thousand seven hundred and seventy-fix; and also except such perfan or persons, who is or are in such list particularly mentioned and described to have been permitted to have gone out of the said prison, by day-rules of the court of [Common Pleas, or King's Bench, as the case shall be, ] fince the faid twenty-second day of January, one thousand seven bundred and seventy-fix, to transact their affairs; and also except such person ar persons who is or are therein also particularly mentioned and described to have, upon the faid twenty-second day of January, one thousand seven hundred and seventy-fix, or since, been in the rules of the faid prison, of the [Fleet, or King's Bench, as the case shall be, ] by leave of the [warden or marshal of the said prison, as the case shall be; ] and have, to the best of my knowledge and belief, really and truly, ever fince, continued and remained in actual sustody in the said prison, of the [Fleet, or King's Bench, as the case shall be, ] or the liberties thereof, at the fuit or fuits of the several perfors in the faid lift respectively mentioned; [and if any prisoner



Anno decimo sexto Georgii III. c. 38. 1776. or prisoners hath or have, since the said twenty-second day of January, one thousand seven hundred and seventy-six, escaped out of either of the said prisons, then insert, ] except [infert the name or names of the prisoner or prisoners who have escaped,] who, without my knowledge, privity, or consent, bath or have escaped out of the said prison of and that the said list is a true, exact, perfect, and just list of all such persons who were really and truly prisoners in actual custody in the faid gaol or prison of on the faid twentysecond day of January, one thousand seven hundred and seventy-six, and who, fince the said twenty-second day of January, one thousand seven hundred and seventy-six, have been committed to, and really have been, and now is or are, prijoner or prisoners, in actual custody, in the faid gaol, or prison of thereof; and that none of such prisoners, to my knowledge, or with my privity, have voluntarily, or with design, or in expectation to take any benefit from or under any act of parliament, to be made for relief of insolvent debtors, surrendered themselves, or been committed to the said prison, or got their names entered as prisoners in the books of the said prison, or since the said twenty-second day of January, one thousand Seven hundred and seventy-fix, to my knowledge, or with my privity, bave resided out of the said prison of or the rules thereof, [but if any have so done, add, except

All other gaolers on delivering in their lifts, to take the following

naming fuch by name.]

And that every other gaoler and keeper of any other prison or prisons, in any county, city, town, riding, division, place, or liberty, shall severally, on the delivering in of any such list respectively, take an oath, in the open court of the general quarter sessions of the county, city, town, division, liberty, or place, for which he or she shall deliver in any such list, and swear to the effect sollowing; (that is to say:)

Oath.

A. B. upon my corporal oath, in the presence of almighty God, do I solemnly swear, profess, and declare, That all and every person and persons, whose name or names are inserted or contained in the first part of the list by me now delivered in and subscribed, was and were, to the best of my knowledge and belief, upon the twenty-second day of January, one thousand seven hundred and seventy-fix, really and truly prisoners in actual custody, in the prison or gaol of at the fuit or fuits of the several persons therein respectively mentioned; and also that all and every person and persons, whose name or names is or are inserted or contained in the second part of the said list now by me delivered in and subscribed, as aforesaid, have, since the Said twenty-second day of January, one thousand seven hundred and seventy fix, been committed or surrendered to the said gool or prison of fif any fuch prisoner or prisoners hath or have, fince the faid twenty-second day of January, one thoufand seven hundred and seventy-six, been committed or surrendered to such gaol or prison,] at the suit or suits of the several person or persons therein respectively mentioned, except [if any exception



Three copies of lifts to be fixed up in each prison, &cc.

Perfons inferted in the lifts being prisoners, without a traudulent intention, on

and conformthall be ditcharged.

Perfons arreited for debt, and held to bail, on or before Jan. 1, 1776, furrendering or before June 26, 1776, and conforming to this act. shall be discharged.

Justices, on petition of any prisoner, and his delivering a schedule of his estate,

That all and every gaoler and gaolers, and keeper of any gaol or prison, is and are hereby required, ten days at least before the first or second general quarter sessions of the peace shall be held, after the passing of this act, for the county, riding, division, city, town, place, or liberty, in which any gaol or prison shall be, or to which the same belong, to fix up, in some conspicuous place or places in every fuch prison, and at the most frequented and usual gate, door, or entrance, into every such prison, three or more true copies of the lift or lifts proposed or intended to be delivered in by any furch gaoler or keeper at the faid general quarter sessions, or at some adjournment thereof.

IV. And be it further enacted, That all and every person and persons, whose name or names shall be inserted in any such list to be delivered in as aforesaid, who, upon the said twentyfecond day of January, one thousand seven hundred and seventyfix, were really and truly prisoners in the actual custody of any gaoler or gaolers, or keeper of any prison respectively of this Jan. 22, 1776, kingdom, and did not come into or get his, her, or their names entered in the book of any gaol or prison as a prisoner or prisoners there, with a view or design to take the benefit of some act for relief of insolvent debtors, and who shall take the oath ing to this act, herein-after mentioned, and shall perform, on his or her part, what is required to be done by him or her by this act, shall be for ever released and discharged from his or her imprisonment,

in fuch manner as hereafter is provided.

V. Provided always, and be it enacted, That any person or persons who shall have been arrested and in actual custody of an officer, for any fum or fums of money by virtue of any writ or process, issuing out of any court of record, and held to bail thereon, on or before the first day of January, one thousand seven hundred and seventy-six, and who shall, on or before the themselves on twenty-sixth day of June, one thousand seven hundred and seventy-six, surrender him, her, or themselves, in discharge of his, her, or their bail, and shall thereupon be committed to prison, every such person or persons shall, upon due proof of the premises upon oath, be discharged from his, her, or their debts and imprisonment, in like manner as if such person or persons had been actually in prison on the twenty-second day of January, one thousand seven hundred and seventy-six; subject nevertheless to the same restrictions and provisions, and a compliance with the like terms, conditions, and qualifications, herein-before imposed upon persons actually in custody on the twenty-second day of January, one thousand seven hundred and seventy-fix, and also subject to the same terms and conditions relating to the estate and effects of every such prisoner as aforesaid.

VI. And be it further enacted, That it shall and may be lawful for any justice or justices of the peace of any county, riding, division, city, town, place, or liberty, within this kingdom, upon the petition of any fuch prisoner or prisoners to any justice or justices of the peace, within his or their respective jurisdictions, upon every fuch prisoner or prisoners so petitioning, and



#### Anno decimo fexto Georgii III. c. 38. 1776.]

at the time of his or her so petitioning, leaving with the justice or justices of the peace who shall be so petitioned, a true copy of the schedule, containing his or her intended discovery of his or her real and personal estate, to be sworn to at the first or fecond general quarter fellion next enfuing after every such petition, or some adjournment thereof, by warrant under his hand may issue their and feal, or their hands and feals, to require the sheriff or warrant for bringing him theriffs, gaoler or gaolers, or keeper of any fuch prison within to the quarter the jurisdiction of any such justice or justices, to bring before the sessions, &c. justices, at the first or second next general quarter settion of the peace, or any adjournment thereof to be held, as the cafe shall happen to be, next after the expiration of ten days from the date of fuch warrant, for fuch respective county, riding, division, city, town, place, or liberty, the body of any perion being in the said prison as aforesaid, with the warrant or warrants of his with the waror her detainer, together with a copy or copies of the cause or rant of his causes which he, the or they is or are charged with in any first detainer, &c. causes which he, she, or they, is or are charged with in any such gaol or prison as aforesaid, at the time aforesaid; which warrant of every fuch justice or justices, every fuch sheritf and theritfs, gaoler, or keeper, is and are hereby commanded to obey.

VII. And be it also enacted, That the copy of every schedule Schedule of which shall be left with any such justice or justices, shall, within the prisoner's ten days after the same shall be so left, be transmitted by the transmitted to justice or justices, with whom the same shall be so left, to the the clerk of clerk of the peace, town clerk, or other officer acting as clerk of the peace, the peace, for the county, riding, division, city, town, place, or liberty, in which the same shall have been so left, there to remain and be inspected, from time to time, as occasion shall re- for inspection quire, by any creditor of any fuch prisoner who shall defire to of creditors.

inspect the same.

VIII. And be it also enacted, That every such justice or justices Any justice, who shall refuse or omit, for the space of ten days, to transmit omitting for the copy of the schedule so left with him as aforesaid, to the transmit a clerk of the peace, town clerk, or other officer acting as clerk of copy or the the peace, for the county, riding, division, city, town, place, or schedule to liberty, in which the same shall have been so lest, shall, for every the clerk of fuch offence, forfeit and pay the fum of ten pounds; which shall the peace, &c. and may be fued for and recovered in any of his Majesty's courts 101. of record at Westminster, by action of debt, together with colts of fuit, in the name of any person who shall protecute for the same; and one moiety of which money forfeited shall, when recovered, go to the party who profecutes for the fame, and the other moiety thereof to the poor of the parish in which the offence shall be committed.

IX. And be it further enacted, That all and every prisoner Prisoners inand prisoners, who shall intend to petition to be discharged tending to under this act, as aforefaid, shall first cause publick notice to be the difinferted in three feveral London Gazettes, previous to fuch general charge, are to quarter fession, and the adjournment thereof, at which the faid sive previous prisoner or prisoners shall apply to be discharged from any good notice thrice in London, or within the weekly bills of mortality; and if fuch sec.

Anno decimo sexto Georgii III. C. 38. T1776.

Contents of the notice.

inferting notices.

When notices to be interted.

to deliver a ichedule of his estate to the gaoler, first notice, &c.

On neglect remanded back to prilon.

fignature to his schedule, and give him a duplicate thereof;

prisoner shall be in custody in any gaol out of London, or the weekly bills of mortality, then also in some newspaper which shall be published in or near the county, riding, division, city, town, liberty, or place, in the gaol whereof he or she shall be so in cuttody; containing the name, trade, and occupation, and two last places of abode, if so many, of every such prisoner and prisoners, and the prison wherein he, she, or they, is or are confined, and of his, her, or their intention to take the benefit of this act; and mentioning such notice in each Gazette or newspaper, to be the first, second, or third notice, according to the 2d to be paid time of publishing each of such notices; and for the inserting of each Time tor each of which faid several notices in the faid Gazette, or in any other newspaper, there shall be paid, each time, by every such prisoner, two-pence, and no more: the first of which said notices shall be so inserted in the said Gazette, or in the said other newspapers, as the case may require, thirty days at least, and the last of the said notices, ten days at least, before any such first or fecond general quarter session, and adjournment thereof, shall be held as aforefaid; fo that as well all the creditors who have not charged the faid prisoner or prisoners in custody as those creditors who have charged fuch prisoner or prisoners in execution, or on mesne process, or otherwise may have sufficient notice thereof.

X. And, to the intent that all creditors may have full and sufficient time to consider the matters and things contained in the schedule or schedules intended to be delivered in by any debtor or debtors, be it Every debtor further enacted, That every such debtor, when he or the shall (according to the directions of this act) publish the first notice of an intention to petition for his or her discharge, he or she shall, in such notice, declare that the schedule, containing his or and to declare her intended discovery of his or her real and personal estate, (to the same in his be sworn to in manner as by this act directed) is lodged in the hands of the gaoler or keeper, or the deputy of fuch gaoler or keeper, of the prison wherein any such prisoner shall be confined; and every fuch prisoner is hereby directed and required to deliver such schedule to such gaoler, keeper, or deputy, as the case may be, before he shall publish such first notice as aforesaid, figned by his or her own christian and surname, to be attested by any fuch gaoler, keeper, or deputy; and in case any prisoner thereof, to be thall neglect or refuse to deliver one such schedule to such gaoler, keeper, or deputy, prior to fuch his first notice to be given as aforesaid, he or the, upon due proof made of such neglect to the fatisfaction of the court to which such prisoner shall make application for his discharge, thall be remanded back to prison, there to remain till he or the shall have complied with the direc-Gaolertoattest tions aforesaid: and every such gaoler, keeper, or deputy, is the prisoner's hereby directed and required to attest the fignature of the prifoner's name to fuch schedule, and to receive the same into his custody and charge, giving a duplicate thereof to every such prisoner, with an acknowledgement of his having received the original; and he is hereby further required to deliver a true copy



1776.] Anno decimo fexto Georgii III. c. 38.

of any such schedule, signed by himself, upon request made to and also to him by any creditor for that purpose, in writing; such copy to give a copy to be delivered to the creditor himself, or to such person as he shall any creditor appoint to receive the same, within three days after demand it. made, on payment for each schedule after the sate of sixpence per sheet, each sheet to contain seventy-two words, and so in proportion for any less number of words: and if any such gaoler, Gaoler, &c. keeper, or deputy, shall neglect or resuse to conform to the on neglect, to directions hereby given him respecting such schedule, every such sorteit aol. gaoler, keeper, or deputy, so offending, shall forfeit and pay the sum of twenty pounds, to any person who shall sue for and recover the same, in any of his Majesty's courts of record at West-minster, by action of debt.

XI. And be it further enacted, That the notices to be given by every prisoner, in manner directed by this act, shall be to the

effect following; videlicet:

[insert the name, trade, occupation, Form of priand two last places of abode, if so many] now confined in soner's natice. [insert the name of the prison and county,] do bereby give this publick notice, being [insert the first, second, or third, as the case may be,] that I do intend to take the benefit of an act, passed in the sixteenth year of his present Majesty's reign, (intituled, An act for the relief of insolvent debtors; and for the relief of bankrupts, in certain cases;) [and if it be the first notice, then add] and I do hereby give notice, that a true and perfect Schedule, containing a discovery of all my real and personal estate, hereafter to be sworn to, is now ready to be delivered to any creditor applying for the same, in manner aforesaid, to the gaoler or keeper, or his finfert the name of the prison deputy, of wherein such prisoner shall be confined, and the county in which it is fituate:

And every such notice shall be signed by the prisoner, and Notice to be counter-signed by the gaoler or keeper, or deputy of such signed by the gaoler or keeper, of the prison wherein such prisoner shall be prisoner, &c. confined.

XII. And be it further enacted. That every such prisoner as Prisoner being aforesaid, who, in pursuance of any such warrant as aforesaid, brought into shall be brought to the general quarter session, or any adjourn-publication ment thereof, shall, in case it shall be proved upon oath, or by or notices producing the said three Gazettes and newspapers before-men-proved, &c. tioned to the said justices, at any such session, or the adjournment thereof, that such notices were inserted in the London Gazette, and other newspapers, where required, in manner as herein-before is directed, and that the person or persons so petitioning was or were actually a prisoner or prisoners on the said twenty-second day of January, one thousand seven hundred and seventy-six, or since, in the gaol or prison in which his, her, or their name or names is or are specified in the list of prisoners there delivered in at any such first or second session, or any ad-

journ-

to deliver in

his estate, debts, &cc. Anno decimo fexto Georgii III. C. 38.

journment thereof, as aforefaid, in pursuance of this act, shall, in open court, at the faid general quarter fellion, or any adjournment thereof, subscribe and deliver in a true schedule or account of all his or her real effate, either in possession, revera schedule of fion, remainder, or expectancy; and also of the whole of his or her personal estate, which he or the, or any person or persons in truft for him or her, or for his or her use, benefit, or advantage. is or are feiled of, interested in, or intitled to, or was or were in his or her possession, at any time fince his or her commitment to prifon, with the names of his or her several debtors, and where they respectively live, or may be met with; and the feveral fums of money from them respectively owing, and how the same respectively became due, and are secured; and if by mortgage, specialty, contract, note, or other writing, then the name and names and places of abode of the feveral witneffes who can prove such debts or contracts, (if there be any such,)

Prifoner's oath on delivering in the schedule.

(that is to fay:)

TA. B. upon my corporal oath, in the presence of almighty God, do folemnly swear, protest, and declare, That on the twenty-second day of January, one thousand seven hundred and seventy-fix, I was a prifoner, or elfe, [as the case may be,] that fines the faid teventysecond day of January; one thousand seven hundred and seventy-fix. I bave surrendered, or have been committed to the prison of

and shall also make oath and swear to the effect following;

in discharge of my bail, or for want of bail, [as the case shall be; ] and that I was actually arrested, and in the custody of an officer, before the faid twenty-second day of January, one thousand freen hundred and seventy-swo, in the action or fuit, actions or faits, in which I surrendered, or was committed as aforesaid, to the faid gaol or prison of and that I have, ever fince my faid furrender or commitment, continued a prisoner soitbin the in the actual cuftody of the gaoler prijon of er keeper of the faid prison of or within the liberties thereof, at the fuit of and soithout any fraud or collusion what soever; and that the schedule now delivered by me, and subscribed, doth contain, to the best of my knowledge, remembrance, and belief, a full, just, true, and perfect account and discovery of all the goods, effects, and eftates, real and personal, either in poffession, reversion, remainder, or expectancy, which I, or any person in trust for me, or for my benefit or advantage, are feifed or possessed of, interested in, or intitled to, or was or were in my possession at any time fince my commitment to prison; and of all debts as are to me ewing, or to any person or persons in trust for me; and of all the fecurities and contracts whereby any money now is, or will or may hereafter become payable, or any benefit or advantage may accrue to me, or to my use, or to any person or persons in trust for me; and the names and places of abode of the several persons from whom such dobes are due and owing; and of the witnesses that can prove such debts or contracts, [if any fuch there be;] and that neither I, nor any other person or persons in trust for me, or for my use, have any lands, money

flock,



#### Anno decimo fexto Georgii III. c. 38. 1776.]

stock, or any estate, real or personal, in possession, reversion, or remainder, or expectancy, other than what are in the fuid schedule contained, except wearing apparel, and bedding for myself and family, working tools, and necessary implements for my occupation and calling, together with a sum of money not exceeding forty stillings, and these in the whole not exceeding the value of twenty pounds; and that I have not, nor any body for me hath, directly or indirectly, fold, leffened, or otherwise conveyed, disposed of in trust, or concealed, all or any part of my lands, money, goods, chattels, stock, debts, securities, contracts, or eflate, real or personal, whereby to secure the same, or to receive or expect any profit or advantage thereof, or with intent to defraud or deceive any creditor or creditors, to whom I am or was indebted in anywise howsoever.

## So help me GOD.

And the said schedule and oath shall be, by every such prisoner, Schedule and subscribed in the presence of the justices in open session of the oath to be subpeace, as hereby is directed, and shall be kept by, and remain scribed in the with, the clerk of the peace, town clerk, or other officer acting lodged with as clerk of the peace, for the county, city, liberty, division, the clerk for town, or place, where the same shall be subscribed and taken, the examinafor the better information of all the creditors of such prisoner tion of crediwho shall desire, or may have occasion, to refort thereto; and tors. every fuch creditor shall be at liberty, at seasonable times in the

day-time, to peruse and examine the same.

XIII. And be it further enacted, That the justices within Court, at the their respective jurisdictions, at any such general quarter session, request of a or adjournment thereof, at the request of any creditor or creditor, may tors of any such prisoner are hereby authorised to cause the examine gaoltors of any fuch prisoner, are hereby authorised to cause the er, &c. on deputy warden and marthal of the Fleet and King's Bench prison, oath. and any other under officer, tipstaff, and turnkey of any gaol or prison, and any other person, to come before them, and to examine them respectively on oath, touching any of the matters contained in any of the oaths prescribed by this act to be taken, and the truth thereof; and if the oath which shall have been The prisoner's taken in open court by any prisoner or prisoners, shall not be oath not bedisapproved by good testimony of any credible person or persons ing disproved, on oath, and such justices, or the major part of them, present discharge him, at any fuch general quarter fession, shall be satisfied with the truth of the oath taken by any such respective prisoner, then fuch justices shall, in such session, or some adjournment thereof, command the faid theriff or theriffs, gaoler or gaolers, or keeper of fuch prison or prisons, forthwith to set at liberty such prisoner or prisoners, without having or taking any fee or reward, other than one shilling for his or their attendance with every such on his paying prisoner at such general quarter session, or any adjournment a fee of is. to thereof, in order for his, her, or their discharge; (and which the gaoler; every fuch sheriff or sheriff's, gaoler or gaolers, keeper or keepers, of fuch prison or prisons, is and are hereby authorised to receive and take for every fuch order.) and every fuch order shall be a

Anno decimo sexto Georgii III. c. 38. [1776.

who shall be, indemnified

sufficient discharge to the theriff or theriffs, gaoler or gaolers, or keeper of such prison or prisons, and shall indemnify him or for the escape them against any escape or escapes, or action or actions whatsoever for escape, which shall or may be brought, commenced, or

profecuted against him or them.

Estate and prifoner, upon his discharge, the clerk of the peace,

XIV. And be it further enacted by the authority aforesaid, effects of the That all the estate, right, title, interest, and trust, of such prifoner, of, in, and unto, all the real estate, as well freehold and to be vested in copy as customary-hold, and to all the personal estate, debts, and effects, of every such prisoner, shall, immediately after the dif-

charge of any such prisoner, be, and the same is hereby vested in the clerk of the peace, town clerk, or other officer acting as clerk of the peace, of and for the county, riding, city, town corporate, division, liberty, or place, where any such prisoner shall

to the affig-

who is to make be respectively discharged; and every such clerk of the peace, over the same town clerk, or other officer acting as clerk of the peace, is hereby directed and required to make an assignment and conby the court; veyance of every such prisoner's estate and effects, vested in such

clerk of the peace, town clerk, or other officer acting as clerk of the peace, as aforefaid, to such creditor or creditors of the said prisoner, as the justices at any general quarter session of the peace, or at any adjournment thereof, which shall be held by

them within their respective jurisdictions, shall order and direct, (which affignment and conveyance shall be good and effectual in law, to all intents and purposes whatsoever, without being

wrote on parchment or paper stamped;) and to vest the estates thereby affigned and conveyed in the party or parties to whom the same shall be so assigned and conveyed, his, her, and their

heirs, executors, administrators, and assigns, according to the estate and interest the prisoner had therein; and for the prepar-

ing, ingroffing, and executing of which affignment and conveyance, no clerk of the peace, town clerk, or other officer acting

as clerk of the peace, shall take any greater fee than two shillings; and every such assignment and conveyance shall be in trust for the benefit of the creditor or creditors of every such prisoner to

whom the same shall be made, and the rest of the creditors of

fuch prisoner, in respect or in proportion to their respective debts; and every person or persons to whom any such assign-

ment and conveyance as aforesaid shall be made, is and are

hereby fully impowered to fue, from time to time, as there may be occasion, in his, her, or their own name or names, for the

recovery and attaining any estate or effects of any such prisoner, or execute any and also to execute any trust or power vested in, or created for

truft or power the use or benefit of any such prisoner, but in trust for the for the pri- benefit of him or themselves, and the rest of the creditors of

every fuch prisoner; and to give discharge and discharges to any debtor or debtors of any such prisoner, as shall be requisite:

and every such assignee or assignees shall, with all convenient speed, after his or their accepting any such affignment or con-

veyance, use his and their best endeavours to receive and get in the estate and effects of every such prisoner; and shall, with all

nees named

for which he shall be paid 3 8.

Affignees impowered to fue,

foner, &c.

Assignees to get in the ettate and effects of the priloner,



convenient speed, make sale of all the estates of such prisoner and make sale vested in such assignee or assignees; and if any such prisoner within two shall be interested in, or intitled to, any real estate, either in months, of possession, reversion, or expectancy, the same, within the space estate, &c. of two months after every such assignment and conveyance, shall be fold by publick auction, in such manner, and at such place, as the major part of the creditors of any fuch prisoner who shall assemble together, on any notice in writing published in the London Gazette, or in some daily paper, if the prisoner before his going to gaol refided in London, or in the weekly bills of mortality, and if elsewhere, then in some newspaper which shall be published in or near the county, riding, division, city, town, liberty, or place, in which such prisoner dwelt before he or she was committed to gaol, thirty days before any such sale shall be made, shall, under his hand, or their hands, agree on : and every and make a fuch assignee or assignees, at the end of three months at farthest dividend from the time of his or their accepting any fuch assignment or within 3 conveyance as aforesaid, shall make a just and fair dividend of all fuch prisoner's estates and effects, which shall have been then recovered, amongst his or her creditors, in proportion and in regard to each creditor's respective debts; but before any such first making dividend shall be made, such assignee or assignees shall make up up their acan account of fuch prisoner's estate, and make oath in writing, verifyingthem before one or more justice or justices of the peace of the county, upon oath. riding, division, town, liberty, or place, in which any such prifoner shall have been discharged, that every such account contains a just and fair account of the estate and effects of every such prisoner got in by or for such assignee or assignees, and of all payments made in respect thereof, and that all payments in every fuch account charged were truly and bona fide made and paid; and notice of the making of every such dividend shall be pub- 30 days nolished in like manner as a meeting of the creditors is herein-tice to be before directed to be published, thirty days at least before the given of maksame shall be made; and no creditor shall be allowed to receive dend; any share of such dividend, until he shall have made out the and none to justness and identity of his respective debt by oath, or due proof receive any in writing, before some such justice or justices: and if any share until creditor of such prisoner shall be distatisfied with the reality or they have fairness of any debt claimed by any other creditor, then the debts. same, at the request of any such creditor or creditors so dissatis- Debts claimed fied, shall be examined into by the justices of the county, riding, to be examindivision, city, liberty, or place, in which such prisoner shall have ed into and been discharged, at their next general quarter session, and what determined by they shall there determine in the premises shall be conclusive to the court. all parties: and if, after payment of all fuch prisoner's creditors, Surplus of the there shall any of his estate and effects remain after payment of pri-oner's all reasonable charges, the same shall be paid to such prisoner, estate to be paid to him, his executors or administrators.

XV. And, to the intent that no loss may arise to any creditor or ereditors from any neglect or omiffion in the schedule not containing the whole of the estate, real or personal, belonging to any prisoner who Vol. XXXI.



any omiffion in the ichedule of prifoner's estate.

Creditors not Shall apply for his or her discharge, under the authority of this all; to tuffer from be it enacted, That all the estate, whether real or personal, which shall belong to any prisoner or prisoners, and of which he, the, or they, thall be actually possessed at the time of making fuch schedule, shall be deemed, and taken to be, a part of the estate contained in such schedule, though not inserted therein, and shall in like manner become vested in the clerk of the peace, town clerk, or other officer acling as fuch, to all intents and purposes, as if the same had been contained in such schedule, and had been delivered into the court according to the directions of this act.

On death or removal of any clerk of the prace, &c. priloners estaces to become veited in their lucceffors.

XVI. Provided always, and be it enacted, That in case of the death or removal of any clerk of the peace, town clerk, or other officer acting as clerk of the peace, as atorefaid, in whom the estate, right, title, interest, or trust, of any prisoner or prisoners, shall have been vested by the authority of this act; every such estate, right, title, interest, and trust, shall become vested in the fuccessor or successors to every such clerk of the peace, town clerk, or other officer acting as clerk of the peace, as aforefaid respessively, as the case may be, to all intents and purposes whatfoever, under the provisions of this act.

No fuit in equity to be commenc d, but by confent or majority in value of creditors.

XVII. Provided further, and be it also enacted, That no suit in equity shall be commenced by any affignee or affignees of any fuch prisoner's estate and effects, without the consent of the major part in value of the creditors of such prisoner, who shall meet together pursuant to a notice to be given in the London Gazette for that purpose.

Clerk of the beace to exhibit to the creditor, or his attorney, on the ichedule of any prisoner's estate:

XVIII. And be it further enacted by the authority aforesaid, That the clerk of the peace, town clerk, or other officer acting as clerk of the peace of every respective county, city, and county town, and county riding, division, cinque port, liberty, and place, with whom any schedules of the estates of any insolvent payment of is. debtor or debtors, fugitive or fugitives, shall be left, and his successors, clerk of the peace, town clerk, or other officer acting as clerk of the peace as aforesaid, shall, on the reasonable request of any creditor or creditors of such insolvent debtor or debtors, fugitive or fugitives, or his or their attorney, produce and shew to fuch creditor or creditors, or his or their attorney, in the day-time, the schedule of the estates of any such insolvent debtor or debtors, fugitive or fugitives, which shall be left with any fuch clerk of the peace, town clerk, or other officer acting as clerk of the peace, or his predecessor in that office; the person fo requiring to fee and peruse any such schedule, paying or tendering to the clerk of the peace, town clerk, or other officer acting as clerk of the peace, in whose custody any such schedule shall be, or his deputy, the sum of one shilling for his trouble in fearthing for, and looking out, fuch schedule, and attending whilft the same shall be perused by the party or parties requiring Artefted copy to have the same looked out, and to peruse the same: and that a true copy of every fuch schedule, signed by the clerk of the peace, town clerk, or other officer acting as clerk of the peace,

whereof to be deemed legal evidence.



## 1776.] Anno decimo sexto Georgii III. c. 38.

in whose custody the same shall be, or his deputy, purporting the same to be a true copy of such schedule, without being wrote on stamped paper, (and for which copy no more shall be paid than sixpence by the sheet, each sheet to contain seventy-two words, and so in proportion for a less number of words,) shall, at all times, be admitted in all courts whatfoever as legal evidence of the same: and if any clerk of the peace, or his deputy, Clerk of the town clerk, or other officer acting as clerk of the peace, shall, on peace retuing reasonable request as aforesaid, neglect or resule to produce to to produce any fuch creditor or creditors as aforefaid, or his or their at- or to deliver a torney, any fuch schedule as aforesaid, and to permit the same copy thereof, to be inspected as aforesaid, in the day-time, on such payment &c. or tender as aforesaid being made to him; or shall ask or take more than after the rate of sixpence by the sheet, each sheet to contain seventy-two words, and so in proportion for less than feventy-two words in a sheet; or shall refuse to make and deliver a copy of any fuch schedule, on being requested as aforefaid so to make the same, and having the money tendered to him for payment of fuch copy, after the rate aforesaid; shall, for shall forfeit every such offence, forfeit and pay the sum of ten pounds; which sol. and shall and may be sued for and recovered in any of his Majesty's treble costs: courts of record at Westminster, by action of debt, together with treble costs of suit, in the name of any person who shall prosecute One moiety to for the same: and one moiety of which money forfeited shall, the prosecuwhen recovered, go to the party who profecuted for the same, tor, and the and the other moiety thereof to the poor of the parish in which poor of the the offence shall be committed.

XIX. Provided always, and be it enacted, That before fuch Affignees of time as any affignee or affignees as aforefaid shall enter on, or copyhold or take any profit from, any copyhold or customary estate, as afore-customary faid, he or they shall agree and compound with the lord or lords effates to of the manor or manors of whom the same shall be holden, for with the lord the payment of fuch fine or income as, upon any furrender and of the manor, admission thereto, hath heretofore been most usually accustomed to be paid; and that upon every fuch agreement or composition, and to be adthe faid lord or lords for the time being, at the next court, or mitted tenants some subsequent court, which shall be holden for the said manor thereupon. or manors, after such agreement made, shall admit such assignee or affignees, tenant to such copyhold or customary premises, according to the custom of the said manor or manors of which the fame thall be holden, for and during fuch estate and interest as the faid prisoner had therein at the time of his or her being discharged as aforesaid, reserving the rents, duties, heriots, customs, and fervices, payable and to be rendered in respect of the faid copyhold or customary premises.

XX. Provided also, That nothing herein contained shall ex- The prisoner's tend to prejudice or affect any estate or interest, or right what- right and infoever, of any other person or persons, other than the said pri-terest, &c only to be afficited soner or fugitive, which may be expectant upon, or subject unto, by this act. the estate or interest of the said prisoner or fugitive, hereby vested in the said clerk of the peace, town clerk, or other officer acting



T1776. Anno decimo sexto Georgii III. c. 38.

as clerk of the peace; but that the estate, interest, and right whatfoever, of every other person and persons, shall remain, continue, and be faved to them, in the same manner as if this act had not been made.

All morttake place preferable to claims of an interior nature.

XXI. Provided also, and be it enacted by the authority aforegages, &c. to said, That nothing in this act shall extend, or be construed to hinder or prevent any mortgage or mortgages upon the estate of fuch prisoner or prisoners, or any part thereof, to take place upon the lands, tenements; or hereditaments, comprised in such mortgage or mortgages respectively; nor to prevent any statutestaple, statute-merchant, recognizance, or judgement, acknowledged by or obtained against any such prisoner or prisoners, to take place upon the lands, tenements, or real estate of such prisoner or prisoners; and also where any inquisition shall have been taken upon any fuch statute or recognizance, or any writ or execution shall have been taken out and delivered to the theriff or proper officer, upon any such judgement, before such discharge shall be given in open session to any such person as aforesaid, the personal estate of every such prisoner respectively shall be subject thereto, in the first place, for so much as shall remain due upon such mortgage, statute, recognizance, or judgement, respectively, in like manner as such mortgagees and creditors, by statute, recognizance, or judgement, would have been preferred to other creditors of an inferior nature, against the real or personal estate of such prisoner and prisoners respectively, if this act had not been made; any thing herein before contained to the contrary thereof in any-wife notwithstanding.

XXII. And whereas many persons who may be intitled to, and claim the benefit of this act, are seised and possessed of lands, tenements, and hereditaments, to hold to such prisoners for the term of their natural lives, with power of granting leafes, and taking fines, reserving small rents on such estates, for one, two, or three lives, in possession or reversion, or for some number of years determinable upon lives, which foid powers ought to be executed for the benefit of the creditors of such prisoners; be it therefore enacted by the authority Powers in pri- aforesaid, That in every such case, all and every the powers of foners of leaf- leafing fuch lands, tenements, and hereditaments, which are or ing lands, &c. shall be vested in any such prisoner or prisoners, as aforesaid, shall be, and are hereby vested in the assignee or assignees of the real and personal estate of such prisoner, by virtue of this act, to be by such assignee or assignees executed for the benefit of all

and every the creditors of fuch prisoners as aforesaid.

XXIII. And whereas, in some gools or prisons in this kingdom, the office of gaoler or keeper is held in fee for life, or otherwise, by persons who never all as gaolers or keepers themselves, or know any thing of the prisoners therein, but depute or employ some person or persons under them as gaolers or keepers of such gaols or prisons; be it therefore enacted, That, in every such case, the person who shall have been actually employed and acted as deputed gaoler or keeper of any fuch gaol or prison, at the time of the delivering in the lifts. hereby directed to be delivered in, of prisoners in any such gaol

The auting gioler, at the time of delivering the litts, only liable to be iworn.

vetted in

affignees.



## 1776.] Anno decimo fexto Georgii III. c. 38.

or prison, at any general quarter sessions of the peace, or some adjournment thereof, and not the principal gaoler or keeper, (unless where such principal gaoler or keeper shall act as gaoler or keeper himself,) shall take the oath herein-before appointed to be taken by the gaoler or keeper of every fuch gaol or prison.

XXIV. And be it enacted by the authority aforesaid, That Court, on rethe justices, at any general quarter session of the peace, or ad-quisition of a journment thereof, to which any prisoner shall be brought in administer an pursuance of this act, shall, if required by any creditor or credi- oath to the tors of any fuch prisoner or prisoners, who shall oppose his or gaoler. her discharge, administer and give to the gaoler, or the person who acts as gaoler or keeper of any such prison, at the time of bringing up any such prisoner, in order to be discharged under this act, an oath to the following effect; (that is to fay,)

was really and truly The oath. T A. B. do Swear, That A a prisoner in my custody, in the prison of to the best of my knowledge and belief, at or upon the twenty-second

day of January, one thousand seven hundred and seventy-fix; and that the copy or copies of the cause or causes of his [or her] commitment or detainer, now by me brought with the body of the faid and produced to this court is or are a true copy or copies of the cause or causes of such detainer or commitment, without any fraud or deceit by me, or any other person what soever to the best of my knowledge and belief.

So help me GOD.

And if any person who was gaoler or keeper, or deputed gaoler If such person or keeper, of any such gaol or prison, on the said twenty-second day of fanuary, one thousand seven hundred and seventy-fix, or on Jan. 22, fince, thall not happen to be the gaoler or keeper, or deputed 1776, then he gaoler or keeper, of any fuch gaol or priion, at the time any fuch thali take the lift as aforesaid is hereby required to be delivered in, then the justices, at any such session, or at any adjournment thereof, may and are hereby required to administer and give to the respective person or persons who shall be gaoler or keeper, or deputed gaoler or keeper, of any fuch gaol or prison, and deliver in any fuch lift as aforefaid, at any fuch general or quarter fession, or any adjournment thereof, an oath touching the commitments, or books of commitment, of any fuch prilon to the effect following; (that is to fay,)

mall not have b en gaoler toliowing

T A. B. do Swear, That I have examined the commitments, or books Oath. A kept of or concerning the commitment, of prisoners to the prison of in the [county, riding, division, city, town, place, or liberty of as the cafe thall be; ?

and that I do verily believe that the fail commitments, or books of commitment, are really true, and not fictitious, nor calculated for this purpose; and by them it doth appear that

was, on the twenty-second day of January, one thousand seven bundred



Anno decimo sexto Georgii III. c. 38. [1776.

dred and seventy-six, really and truly a prisoner in the actual custody the then gaaler or keeper, or deputed gao'er or keeper, of the said prison, without fraud or deceit by me, or any other person or persons, to my knowledge and belief.

XXV. And, in order to discover any fraudulent entries or commit-

So help me GOD.

ments of prisoners in any gaol books, be it further enacted by the request of a creditor, may fummon the person who on Jan. 22, 1776, or fince,

and examine

Sheriff or gaoler difof court, to forfeit rool. with treble cours.

Court, at the authority aforesaid, That the justices, at any general or quarter fession of the peace, or any adjournment thereof, are hereby authorised, at the request of any creditor or creditors of any prisoner, to convene before them, at some certain time, to be acted as gaoler appointed by them, any person or persons, who was or were gaoler or keeper, or deputed gaoler or keeper, of any gaol or prison within their respective jurisdictions, on the said twentysecond day of January, one thousand seven hundred and seventyfix, or at any time fince; and to examine every fuch gaoler or him, on oath, keeper, or deputed gaoler or keeper, on oath, touching the commitment and continuance in custody of any such prisoner, as the justices, at any such general or quarter session, or adjournment thereof, shall think fit: and if any sheriff, gaoler, or keeper, or deputed gaoler or keeper, shall neglect or refuse to bring beobeying order fore such justices, at any session of the peace, or adjournment thereof, any prisoner as shall be directed and required by warrant of any justice or justices as aforesaid, or to attend on being summoned for that purpose; or if any gaoler or keeper attending, shall refuse to make answer and discovery in the premises, as shall be reasonably required, at such general or quarter session, or any adjournment thereof, he, the, or they, so offending in the premiles, shall, for every such offence, forfeit and pay the

> XXVI. And whereas a great number of workmen skilful in the several trades and manufactures of this kingdom, and also many able seamen and mariners, finding themseives unable to satisfy the whole of their respective debts, and dreading the miseries of a gaol, have chose to leave their employments and native country, and have entered themselves in foreign service: and whereas their continuance abroad must be of great prejudice to the trade of this kingdom; in order therefore to induce and enable such persons to return, be it enacted by the authority aforesaid, That all and every debtor and debtors, who was or were actully beyond the feas, in foreign parts, on the said twenty-second day of January, one thousand seven hundred and fevenry-fix, and did not go into fuch foreign parts with the view or intent to gain or have the benefit of an infolvent debtor's act, who shall return and surrender himself or themselves, within fourteen days next immediately after his or their landing in England, unto the gaoler or gaolers, keeper or keepers of the

> fum of one hundred pounds; to be recovered, by and in the name, and for the use, of the party injured, by action of debt, to be brought in his or her name, in any of his Majesty's courts

of record at Westminster, together with treble costs of suit.

Debtors who were herond the leas on Jan. 21. 1776, Intrendering themalches, may take the benefit of this ast,



1776.] Anno decimo fexto Georgii III. c. 38.

prisons of the King's Bench, Marshalsca, or Fleet, or to the gaoler or keeper, or deputed gaoler or keeper, of the prison or prisons of fuch county, city, town, riding, division, liberty, or place, where such debtor or debtors last dwelt, for the space of six months, (which faid gaoler or gaolers, keeper or keepers, is and are hereby required and impowered to receive and detain fuch debtor or debtors, furrendering as aforefaid, in order to their discharge, as herein-after mentioned,) and who, from and immediately after such surrender, do continue in actual custody of fuch gaoler and gaolers, keeper or keepers, until the time of his discharge, shall be deemed a prisoner or prisoners within, and be, to all intents and purposes, intitled to the benefit of this act; and shall, upon due proof of the said premises, by the oath of such debtor or debtors (not disproved by any credible witness,) be discharged in the same manner as if he, she, or they, had been actually in prison on the said twenty-second day of January, one thousand seven hundred and seventy-six, and continued therein as aforelaid; subject nevertheless to the same restrictions upon the same and provisions, and a compliance with the like terms, condi-terms as tions, and qualifications, herein-before imposed upon the said other prisonprisoners actually in custody upon the said twenty-second day of Fanuary, one thouland seven hundred and seventy fix, and also subject to the terms and provisions relating to the estate and effects of such prisoner, as aforesaid; excepting only such parti-except in cerculars thereof as require the name of a prisoner to be inserted in tain particuthe gauler's or keeper's lift, as aforefaid, as relate to the oaths of lars. fuch gaoler or keeper herein-before appointed to be taken; which particulars cannot possibly be applied to the case of perfons furrendering themselves as aforesaid; and also except the faid oath herein-before appointed to be taken by prisoners in custody upon the said twenty-second day of January, one thouland seven hundred and seventy-six; instead whereof, the person or persons so surrendering shall take an oath, in open court, at some general or quarter session of the peace, or some adjournment thereof, of the county, city, town, riding, division, place, or liberty, in the prison of which any such fugitive or debtor shall be held, after the surrender of any such fugitive or debtor, to the effect following; which the faid justices authorised to put this act in execution, are hereby required and impowered to administer in such manner as the oaths herein-before mentioned are to be administered.

I A. B. upon my corporal oath, in the presence of almighty God, Fugitive's folemnly swear, protest, and declare. That I was actually, on the eath. twenty-second day of January, one thousand seven hundred and seventy-six, beyond the seas in soreign parts; videlicet, at and that I did, within sourteen days next immediately after my landing, surrender myself to the custody of the keeper of [as the case may be;] and that I have ever since such my surrender continued a prisoner in his custody; and that the schedule now delivered, and by me subscribed, doth contain, to the best of my knowledge.

R 4



## Anno decimo sexto Georgii III. c. 38. [1776.

remembrance, and belief, a full, just, true, and perfect account and discovery, of all the real estate, goods, effects, and other personal estate, in any-wife belonging to me; and also of all such debts as are to me owing, or to any person or persons in trust for me; and of all the securities and contracts whereby any money now is, or will or may hereafter become payable, or whereby or wherefrom any benefit or ad-Vantage may accrue to me, or to my use, or to any other person or per-Sons in trust for me; and the names and places of abode of the several persons from whom such debts are due and owing; and of the witnesses that can prove such debts or contracts, [if any such there be;] and that neither I, nor any persons in trust for me, is or are seised of any real estate, in possession, reversion, or remainder, or expectancy, or of any personal estate of any kind what soever, other than what are in the faid schedule contained; except my wearing apparel, and bedding for myself and family, my working tools, and necessary implements for my occupation and calling, together with a sum of money not exceeding forty Skillings, and not exceeding in the whole the value of twenty pounds; and that I have not, directly or indirectly, fold, lessened, or otherwise conveyed, disposed of in trust, or concealed, all or any part of my real estate, money, goods, chattels, stocks, debts, securities, contracts, or personal estate what soever, whereby to secure the same, so as to receive or expect any profit or advantage therefrom to myself or family, or with any view, intent, or design, to defraud or deceive any creditor or creditors, to whom I am indebted in any-wife howfoever, or prevent their recovering or attaining their respective debts.

So help me GOD.

Fugitives aring to furrender, intitled to the benefit of this act.

XXVII. Provided also, and be it enacted, That if any fugiretted, intend- tive intending to furrender to the terms of this act, shall, within the space before mentioned of fourteen days, be arrested in any fuit or action, which cause of action accrued before the said twenty-second day of January, one thousand seven hundred and seventy-fix, such sugitive giving notice (as before directed,) to any justice of the peace at the next general quarter sessions, and in all other respects complying with the terms and conditions of this act, shall be intitled to the benefit of the same; and every theriff, bailiff, or officer, gaoler, or keeper of a prison, in whose custody such fugitive shall be detained, shall conform him or themselves to the directions of this act, in like manner as before mentioned.

XXVIII. And whereas a great number of commission and warrant officers, in his Majefly's fea and land fervice, who, through unavoidable misfortunes, have involved themselves in debt (and many of them. through necessity, have taken up money on terms very disadvantageous to themselves, tending to hasten their ruin) are now unable, though willing, to ferve their King and country, because, to avoid the diferace and Shame of a prison, they have taken shelter in privileged places, and cannot come forth without danger of being immediately arrefled, or have been thrown into prifon, without hopes of being released by any difibarge of their debts, and are therefore become wiles and a heavy



#### Anno decimo sexto Georgii III. 0.38. 1776.]

burthen, instead of being serviceable to the state: and whereas many of them are not under the description of those persons who can take benefit by the provisions of this act, without some extension thereof, yet are very proper objects of such relief as is hereby intended to be given; be it therefore enacted, That all and every commission or war- Any commisrant officer or officers, in his Majesty's sea or land service, now sion or warupon the full or half-pay lift, who shall, on or before the twenty-rant officer, fixth day of Fune one thousand seven hundred and sevents for who shall surfixth day of June, one thousand seven hundred and seventy-six, render himfurrender himself or themselves to the gaoler or keeper of any of self, as is herehis Majesty's prisons, in such manner as is herein directed for in directed for fugitive debtors returning from foreign parts, who mean to fugitive deb-claim the benefit of this act, and who shall, subsequent thereto, June 26, 1776, conform themselves in all respects to the like terms and condi-thail be intitions prescribed to such fugitive debtors, (except as to so much tled to the beof the oath required to be taken by them, as declares that such nefit of this debtors were in foreign parts on a certain day, and did furrender act. within fourteen days after their return;) instead whereof, every fuch debtor shall swear, that he did, on or before the twentyfixth day of June, one thousand seven hundred and seventy-fix, [as the case may be] surrender himself to the custody of the gaoler or keeper of [insert the name of the prison] and who shall, in all other respects, take the same oath as every fuch fugitive debtor is required to do, shall be deemed and taken to be a prisoner or prisoners within the true meaning of this act, and be intitled to the benefits thereof, to all intents and purpofes whatfoever.

XXIX. And be it further enacted by the authority aforesaid, That if any gaoler or keeper of any prison, or his deputy or Gaoler, or deputies, shall, without just cause, to be approved of by the printer of the justices at some general quarter session of the peace, or adjourn Gazette, &c. justices at some general quarter session of the peace, or adjourn-not complying ment thereof, within their respective jurisdictions, refuse or delay with the reto bring any such prisoner or prisoners as aforesaid to any such gulations of general quarter session, or some adjournment thereof, in order this act, to to his or her discharge; or shall neglect, refuse, or designedly for each ofomit to infert, in any fuch lift, the name or names of any fuch fence, with prisoner or prisoners who was or were actually in custody in his treble costs. or their respective gaol or prison, on the said twenty-second day of January, one thousand seven hundred and seventy-six, or fince; or shall neglect or refuse to make out, fix up, or deliver, fuch lifts as aforefaid; or if any fuch gaoler or keeper, or deputed gaoler or keeper, shall neglect or refuse to take any of the faid oaths before mentioned, and hereby required to be taken by him; or shall, upon any account or pretence whatsoever, take or receive more than the faid fum of one shilling herein before allowed for his or her attendance in order to be discharged of fuch prisoner or prisoners as aforesaid; or shall detain any fuch prisoner after he or she shall be discharged as aforesaid; or if the printer of the London Gazette, or other newspaper, as aforesaid, shall wilfully refuse or neglect to insert therein the notice by this act directed to be given, on reasonable request to him made for that purpose, and tender of the money hereby

236

Anno decimo sexto Georgii III. c. 38.

directed to be paid; or shall take or receive any fee or gratuity more than two-pence as aforefaid for doing thereof; every fuch gaoler and keeper of fuch prison or prisons, his deputy or deputies, and every fuch printer as aforesaid, shall respectively forfeit and pay to each prisoner, in any such case injured, the sum of one hundred pounds; which shall and may be recovered, with treble costs of suit, by action of debt, bill, plaint, or information, in any of the courts of record at Westminster, wherein no essoin, protection, or wager of law, or more than one imparlance, shall be allowed.

Gaoler convicted of per-5001. with full costs, &c.

XXX. And be it further enacted by the authority aforesaid, That if any fuch gaoler or gaolers, or keeper or keepers, or any deputed gaoler or keeper, of any prison, shall, in taking of the jury, to forfeit afore-mentioned oaths, forswear or perjure himself, and shall thereof be lawfully convicted, fuch gaoler or keeper, or deputed gaoler or keeper, of fuch prison or prisons, (over and above such penalties as may be inflicted on persons convicted of perjury,) shall, upon every such conviction, forfeit and pay the sum of five hundred pounds; to be recovered, with full costs, by bill, plaint, or information, or action of debt, in any of his Majesty's courts of record at IVestminster, wherein no essoin, protection, or wager of law, shall be allowed, by and in the name of such person or persons, his and their executors and administrators, to whom any affignment or conveyance, in pursuance of this act, shall be made, of the estate and effects of such prisoner or prisoners; and if no such assignee or assignees shall be living, then in the name or names of any other creditor or creditors who shall sue for the Application of faid penalties; to be applied, one moiety to the informer or informers, and the other moiety towards fatisfaction of the debts of fuch his creditor or creditors.

the penalty.

Clerk of the a prisoner a copy of his discharge,

or taking exorbitant fees,

shall forfeit 201. to the priloner.

XXXI. And be it further enacted, That if any clerk of the peace refusing peace, or his deputy, or town clerk, or other officer acting as clerk of the peace, shall delay or refuse to give every or any such prisoner so discharged as aforesaid, within fourteen days after his or her discharge, a copy of the order of his or her discharge, on the payment of two shillings and sixpence; or shall take more than the fum of two shillings and sixpence for such copy; or shall take more than one shilling for an assignment or conveyance of fuch prisoner's estate or effects; every such clerk of the peace, or his deputy, or town clerk, or other officer asling as clerk of the peace, who shall so offend, and who shall be convicted at any fuch general or quarter session of the peace, or any adjournment thereof, of any such offence, shall, for every such offence, forseit and pay to every such prisoner the sum of twenty pounds, as the justices of the peace at any such general quarter session of the peace, or adjournment thereof, shall order; and who are hereby impowered to cause the same to be levied by diffress and sale of the goods of any such clerk of the peace, or his deputy, or town clerk, or other officer acting as clerk of the peace, fo offending.

XXXII. And be it further enacted by the authority afore-



faid, That if any prisoner as aforefaid, or any other person or Prisoner, &c. persons who shall take the benefit of this act, shall forswear or convicted of perjure himself, herself, or themselves, in any oath to be taken perjury, to under this act, and shall be lawfully convicted thereof, he, she, felon. or they, so offending, shall be adjudged a felon, and suffer as

fuch, without benefit of clergy.

XXXIII. And be it turther enacted by the authority aforefaid, That no person to be discharged by this act shall, at any Persons distime hereafter, be imprisoned by reason of any judgement or charged by decree obtained for payment of money only, or for any debt, this act, not damages, contempts, costs, sum or sums of money, contracted, prisonment for incurred, occasioned, owing or growing due, before the faid debts, &c. twenty-second day of fanuary, one thousand seven hundred and contracted befeventy-fix; but that upon every arrest, upon every judgement, fore Jan. 22, or such decree, or for such debts, damages, contempts, costs, fum and fums of money, it shall and may be lawful for any judge of the court where the process issued, upon shewing the copy of the order of fuch prisoner's discharge or discharges, to release and discharge out of custody such prisoner or prisoners as aforesaid; and shall, at the same time, order the plaintiff or plaintiffs, in fuch fuit or fuits, to pay fuch prisoner or prisoners the costs, he, she, or they, shall have incurred on such occasion. or so much thereof as to such judge shall seem just and reasonable; and every fuch judge is hereby impowered fo to do on fuch prisoner's causing a common appearance to be entered for him in every fuch action and fuit.

quent thereto.

XXXIV. And whereas, under former acts of this kind, doubts bave arisen, what was to be done with such prisoners who applied at any session to be discharged, who owed and stood charged with debts, as well previous as subsequent to the day limited by the respective acts; to remedy which, be it therefore enacted by the authority aforefaid, That no prisoner or prisoners shall be discharged of any But no pridebts subsequent to the twenty-second day of January, one soner to be thousand seven hundred and seventy-six; and if it shall appear discharged of to the justices, in any session or adjournment, that any prisoner debts subseor prisoners, then applying to them to be discharged, shall stand charged as well with debts previous to as subsequent to the said twenty-second day of Junuary, one thousand seven hundred and seventy. fix, that in such cases, it shall and may be lawful to and for the justices to discharge him or her of all debts previous to the faid twenty-second day of January, one thousand seven hundred and feventy-fix, and to remand him or her back to the custody of the keeper of the prison from whence he or she was brought, for all debts with which he or the stands charged with in his custody, subsequent to the said twenty-second day of January, one thousand seven hundred and seventy-six.

XXXV. And be it further enacted by the authority aforesaid, That if any action of escape, or any suit or action, be Justices, &c. brought against any justice or justices of the peace, sheriff, may plead this gaoler, or keeper of any prison, for performing their office, in act to any acpursuance of this act, they may plead the general iffue, and give against them,



and recover

Persons discharged may plead generally, &c. to all actions or judgements brought against them before Jan. 22, 1776, &c.

and in other fuits may plead in difcharge of their persons from execution.

Plaintiff may reply generally, &c.

but if nonfuited, to pay treble costs.

Attornies or fervants embezzling money, &c. excluded the benefit of this act. Anno decimo sexto Georgii III. c. 38: [1776.

this act in evidence; and if the plaintiff be nonfuited or discontinue his action, or verdict pass against him, or judgement upon

demurrer, the defendant shall have treble costs.

XXXVI. And be it further enacted by the authority aforefaid, That if any Scire Facias, or action of debt, or upon judgement, shall be brought against any prisoner, his or her heirs, executors, or administrators, upon any judgement obtained against any such prisoner, or on any statute or recognizance acknowledged by him or her, before the faid twenty-fecond day of January, one thousand seven hundred and seventy-six, with respect to prisoners in actual custody, or with respect to debtors beyond the leas, as aforefaid, upon the faid twenty-fecond day of 'January, one thousand seven hundred and seventy-six, it shall be lawful for any fuch prisoner, his or her heirs, executors, or administrators, to plead generally that such prisoner was actually a prisoner in such prison at such a person's suit, or was or were beyond the feas in foreign parts on the faid twenty-fecond day of January, one thousand seven hundred and seventy-six, and was or were duly discharged according to this act, at the general quarter session, or adjournment thereof, held at such time and place, for such county, riding, division, liberty, city, town, or place, (as his, her, or their case is,) without pleading any matter specially; and in case any other suit or action shall be commenced against him, her, or them, for any other debt, sum or fums of money, due before the said twenty-second day of 7anuary, one thousand seven hundred and seventy-six, to plead in discharge of his or her person from execution, (over and above fuch matters as aforefaid,) that fuch debt or fum of money, (as the case shall happen) was contracted or due before the said twenty-second day of January, one thousand seven hundred and feventy-fix, without pleading any other matter especially; whereto the plaintiff shall or may reply generally, and deny the matters pleaded as aforesaid, or reply any other matter or thing which may shew the said defendant not to be intitled to the benefit of this act, or not duly discharged according to it, in the fame manner as the plaintiff might have replied, in case the defendant had pleaded this act, and his discharge, by virtue of this act, specially; and if the plaintiff be nonsuited, discontinue his action, or verdict pass against him, or judgement on demurrer, the defendant to have treble costs.

XXXVII. Provided always, That nothing in this act contained shall extend, or be construed to extend, to release or discharge any attorney at law, or solicitor, or any other person or persons acting or pretending to act as such, with regard to any debt with which he or they shall stand charged for any money, or other effects, recovered and received by him or them, for the use of any person or persons, bodies corporate or politick, and by any attorney, solicitor, or other person or persons acting as such, embezzled, concealed, or converted to his or their own use; or to release or discharge any servant or agent, or any person or persons employed or intrusted as such, with regard to any

debt



## 1776.] Anno decimo fexto Georgii III. c. 38.

debt or demand, with which he, she, or they shall stand charged, for and on account of any money, goods, or other effects, received or possessed by him, her, or them, for the use and on account of his, her, or their master or masters, or employers, and by such servant or agent embezzled, concealed, or converted to his, her, or their own use; any thing herein contained to the

contrary thereof in any-wife notwithstanding.

XXXVIII. And whereas many evil-disposed persons, to support their profligate way of life, have, by various subtle stratagems, threats, and devices, fraudulently obtained divers sums of money, goods, wares, merchandizes, bonds, bills of exchange, promissory notes, or other securities for money, to the great injury of industrious families, and to the manifest prejudice of trade and credit; be it enacted, That no pri- Persons who foner, who knowingly and defignedly, by false presence or pre- by false pretences, shall have obtained from any person or persons, money, tences, have goods, wares, merchandizes, bonds, bills of exchange, promif- ney, goods. fory notes, or other securities for money, shall have or receive &c. excluded any benefit or discharge by or under this act; but the justices, the benefit of at any general or quarter session of the peace, or any adjourn-this act. ment thereof, before whom any fuch prisoner shall be brought, upon due proof of the matter, made to their satisfaction, shall remand such prisoner to the custody of the gaoler or keeper of the prison from whence he or she shall have been brought, any thing herein contained to the contrary notwithstanding.

XXXIX. And whereas many debtors have, with a view to defraud their creditors, sold, transferred, conveyed, or assigned their estate and effects to some person or persons, subjequent to their being in custody of law, or imprisoned under some process for debt: and whereas such sale, transfer, conveyance, or assignment, has been frequently made, to the infinite prejudice of the fair and honest creditor, though sufficient proof could not be obtained to convict the party of a fraudulent design; be it enacted, That whenever it shall be proved by one or more Any person credible witness or witnesses, to the satisfaction of the court, to having sold or which any prisoner shall be brought up, in order to obtain his assigned any or her discharge, that such prisoner has sold, transferred, con-estate or efveyed, or assigned, to any person or persons, all or any part of fects. after behis estate or effects, subsequent to the time of his imprisonment, ing in custody, or of his being in custody of law, without just cause for so doing, with design to to be allowed by the justices presiding in such court as aforesaid; credito's,

he might have otherwise claimed under the authority of this act, benefit of this and shall not be invitted to his or her discharge and shall not be intitled to his or her discharge.

XL. And be it further enacted by the authority aforesaid, Gaoler to per-That every gaoler or keeper of any prison shall, and is hereby mit the speak-required to suffer, in the day-time, any person or persons desir- ing in private to prisoners, ing the same, to see and speak, in the lodge, or some convenient who'e names room of the faid prison, with any prisoner or prisoners, whose are inserted in names are inferted in the afore-mentioned lift or lifts, or London the lift, or Gazette, or other newspaper, or any of them, or any persons Gazette, &c. surrendering themselves pursuant to this act; and also see, in mining origithe true and genuine books of the faid prison, the entries made nal books of

every such prisoner shall lose all the benefits and advantages that shall lose the

of entries, &c.

# Anno decimo fexto Georgii III. c. 38. [1776.

of fuit.

of the name or names of such prisoner or prisoners, together with the name or names of the person or persons, at whose suit on penalty of or fuits he, she, or they, are detained: and if any such gaoler or 401. with costs keeper shall neglect or refuse to comply with what is here above required, every such gaoler or keeper, who shall so offend in the premises, shall forfeit and pay, to the person so resused and aggrieved the fum of forty pounds; to be recovered, with colls of fuit, by action of debt, bill, plaint, or information, in any of the courts at Westminster, wherein no essoin, protection, wager of law, or more than one imparlance, shall be allowed, by and in the name or names of the person or persons so refused and aggrieved.

XLI. And whereas Several persons, who have taken the benefit of acts of insolvency, from a difficulty of obtaining a new credit to set themselves up in their usual trades and occupations, (as their future effects have been made liable to their debts previous thereto) have gone abroad for the better maintenance of themselves and samilies, carrying the arts and manufactures of this country to our enemies, or rivals in trade: in order to prevent such evil for the future, be it enacted, That the future real estates, as well freehold and copyhoid, as customary copyhold, or money in the funds, or lent upon real fecurity only, of every fuch person or persons, prisoner or prifoners, fugitive or fugitives, which, after the time of his, her, or their total surrender of his, her, or their estates and effects, under such acts, he, she, or they, shall or may be seised of, in his, her, or their own right or use, by grant, demise, or purchase, shall remain and be liable to his, her, and their respective creditors, as before the making of this act; and any creditor or out execution, creditors of any fuch prisoner or prisoners, fugitive or fugitives, may, at any time hereafter, fue out execution, extents, or other process, against such real estate or money in the funds as aforefaid, of fuch person or persons, on any judgement at the time of fuch discharge recovered, or statute-staple, or recognizance acknowledged by, or decree obtained against, any such prisoner or fugitive, but not against his, her, or their person, or his, her, or their personal estate or effects, except money in the funds obtained or accrued fince such time of such discharge, other than as aforefaid.

Prisoners future citates, or money in the funds, notwithstanding their perfonal difcharge, liable to creditors;

who may fue but not against their perions, or personal effects, &c.

Creditors may tue for the recovery of debts due at the time of prisoner's difcharge,

but not hold fpecial bail, nor take his

XLII. And be it also enacted, That any creditor or creditors of any prisoner or prisoners, fugitive or fugitives, who shall be discharged under this act, may, at any time after any such discharge, commence and profecute any action or fuit against any fuch prisoner or fugitive, his, her, or their respective heirs. executors, or administrators, for the recovery of any sum or fums of money which shall be due from any such prisoner or the prisoner to prisoners, fugitive or fugitives, at the time of his or their said discharge, but shall not hold the person of any such prisoner or fagitive to special bail; nor shall take the person, or personal person, &c. by estate and effects, other than as aforesaid, of any such prisoner ment recover- or fugitive, in execution, by any judgement, sentence, or decree, edagainst him. which shall have been, or hereafter may be, recovered or ob-

tained



## 1776.] Anno decimo sexto Georgii III. c. 38.

tained against any such prisoner or fugitive; and any judge of the court, out of which such execution shall issue, shall have power to discharge the same by virtue of this act: and in any No advantage action or fuit, which shall be hereafter commenced against any to be taken of fuch prisoner or fugitive, his or her heirs, executors, or admini- the cause of strators, no benefit or advantage shall be had or taken for that action not acthe cause of action did not accrue within three years next before 3 years, &c. the commencing of any fuch action or fuit; nor shall any statute or limitation be pleadable, or be allowed to be pleaded in bar of or in any fuch action or fuit, which shall be hereafter commenced by any fuch creditor or creditors against any fuch prifoner or prisoners, unless such cause of action or suit did not Exceptions accrue within three years next before any fuch prisoner or fugitive shall be discharged under this act; and, in any such case, the same may be pleaded by any such prisoner, his or her heirs, executors, or administrators.

XLIII. Provided always, and be it likewise enacted, That by Discharge of the discharge of any prisoner or fugitive by force of this act, no prisoner no other person or persons who was or were partner or partners in acquittal to trade with any such prisoner or fugitive, at the time of his or sureties. her discharge under this act, or then stood bound, engaged with, or liable to, the payment of any debt with any such prisoner or fugitive, or engaged in any contract together with any fuch prisoner or fugitive, shall be discharged from any such debt or demand; but every fuch other person and persons shall severally stand and be chargeable with, and liable to pay, such debt and debts, and to perform such contracts, in like manner as if any fuch prisoner or fugitive had never been discharged from

the fame.

XLIV. And be it further enacted, That if any gaoler or Gaoler makkeeper, or reputed gaoler or keeper, of any prison or prisons, ing falle enshall make, or cause to be made, any false entries in any book tries in prison or books belonging to any prison or gaol under his care or of book or list, which he is or was gaoler, or shall prepare or keep, or cause to with treble be prepared or kept, any false book or books, in order for any costs. false or untrue entry or entries to be made therein; or shall infert in any lift, to be delivered in as aforesaid, the name or names of any person or persons who was not a prisoner or prisoners in actual custody in any such gaol or prison upon the said twentyfecond day of January, one thousand seven hundred and seventyfix, or shall not have ever fince remained in such actual custody, (except as in the oath of any fuch gaoler or keeper, or deputed gaoler or keeper, shall be excepted,) every such gaoler or keeper, or deputed gaoler or keeper, thall, over and above the penalties which he shall be liable to for every such fraud, forseit and pay the fum of five hundred pounds; to be recovered, with treble costs of fuit, by and in the name, and for the use, of any person or persons who shall be prejudiced by any entry, or such false entries; which penalties shall and may be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, wherein no essoin, protection,



Anno decimo ferto Georgii III. c. 38. [1776. or wager of law, or more than one imparlance, shall be allowed.

Persons refuof the perion at whose fuir he is detained, &c.

this act,

Inflices may near any county gaol, and hold a feffion there for discharge of prisoners.

county of femble at the town hall of oaths, &c.

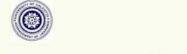
XLV. And be it further enacted, That if any prisoner, being fing to declare thereunto required by any creditor, shall refuse to discover and the abode, &c. declare the trade or occupation, and habitation, or last place of abode, of the person or persons at whose suit he or she is detained or charged in custody; or being called for and defired, by any creditor or creditors, to come to the lodge of the prison in which any such prisoner shall be confined, without some reato be excluded sonable cause being made appear to the contrary; every such the benefit of prisoner, upon proof being made thereof before the justices at any general or quarter session of the peace, or any adjournment thereof, to be held as aforesaid, shall not have or receive any benefit or discharge by or under this act; any thing herein contained to the contrary thereof in any-wife notwithstanding.

XLVI. And whereas there is but one common or tounty gaol for. each of the respective counties of York, Lincoln, Lancaster, and Durham, which said counties are each of them divided into several ridings or divisions, all which have several commissions of the peace; and if the guolers of those gaols be obliged to carry the debtors, prisoners therein, to the quarter sellion of each riding or division, the same will be a very great charge, not only to fuch gaolers, but also to the prifoners in those large counties; be it therefore enacted by the authority aforesaid, That it shall and may be lawful for two or more essemble at or justices of the peace for any of the ridings or divisions in the respective counties, (or any other county or counties where the prisons are at a distance from the place where the sessions are held,) at the common or county gaol thereof respectively, or at some convenient place near thereto, and they are hereby required to assemble and meet, and to hold session there, by adjournment from their respective quarter session, from time to time, for the discharge of the respective prisoners therein, according to the powers, limitations, and directions of this act.

XLVII. And whereas the next general quarter sessions of the peace for the county of Surrey, which shall happen after the passing of this act, may be in the county, and upwards of twenty miles from any of the faid prisons; be it therefore enacted by the authority afore-Inflices for the faid, That it shall and may be lawful for such justices as shall be affembled at the general quarter session of the peace to be Surrey may af- holden for the county of Surrey, next after the passing of this act, and they are hereby required forthwith to adjourn the said. Southwark for festion to the town-hall in the borough of Southwark, for the administering purpose of administering the oaths required to be taken and subscribed by this act, by the several gaolers within the said county wherein any prisoner or prisoners are confined, and to the discharging such respective prisoner or prisoners confined therein, according to the powers, limitations, and directions of this act.

XLVIII. And be it further enacted by the authority aforesaid, Prisoners who That all debtors and others, who were in prison on or before the faid twenty-second day of January, one thousand seven hun-

are kept in custody for



1776.] Anno decimo sexto Georgii III. c. 38.

dred and seventy-fix, or since, in any of the gaols of this king- payment for dom, and now remain there for not paying their fees, rents, or tees, &c. to other demands due, or claimed as due, to the keeper or gaoler be ducharged. of any prison respectively, or to any other officer of such prison, and upon no other account, shall be discharged therefrom, he, the, or they, taking the oath by this act required to be taken by prisoners.

fon profecuted for any offence committed against any act or acts of parliament relative to his Majesty's revenues of customs, ex-

XLIX. Provided always, and it is hereby further enacted by the authority aforesaid, That this act shall not extend or be con- This act not strued to extend, to discharge any person out of prison, seeking to extend to his or her discharge under this act, with respect to any debt or debtors to the penalty with which he or she shall stand charged at the suit of the crown, or at the fuit of any sheriff or other publick officer, upon any bail bond entered into for the appearance of any per-

cife, or falt duties, or either of them.

L. Provided also, That this act shall not extend to discharge nor to prisonany person out of prison, seeking his or her discharge under this ers who owe act, who shall be charged by any body politick or corporate, or more than by any one person, on or before the faid twenty-second day of person, unless fanuary, one thousand seven hundred and seventy-fix, in any such creditor fum exceeding the sum or one thousand pounds, besides interest consent. and costs, and whose discharge shall be in court opposed by such body politick or corporate, or one person, (except such person Exception. or persons who shall have been bound in security for any other person or persons to a larger amount, and it shall appear, to the fatisfaction of the court, that such person or persons so bound, or giving, or joining in, such security, hath or have not received or applied to his, her, or their own proper and separate use or benefit, any part of the fum or fums of money so due and owing as aforesaid:) and if any such body politick or corporate, creditor Creditor opor creditors, to whom a fum exceeding one thousand pounds poling prisonshall be owing, shall oppose the discharge of such prisoner, er's discharge, (except as aforesaid,) and shall insist that such prisoner be con- to allow him tinued in gaol; that then, and in fuch case, such body politick week: or corporate, or creditor or creditors, opposing the said prisoner's discharge as aforesaid, shall, at his, her, or their proper costs and charges, allow and pay, in the whole, such a weekly maintenance to the faid prisoner, not exceeding four shillings, nor less than three shillings and sixpence per week, in such manner as the faid justices, in their general quarter sellion, or adjournment thereof, shall order; and, upon non-payment of the same for and on nonthe space of two weeks, the said prisoner, upon application to payment for the faid justices in their general quarter fertion, held as afore- prifores to faid, shall be discharged, pursuant to the intent and meaning of discharged. this act.

LI. And whereas, under former alls, creditors have been put to great expences and trouble in attending every seision and adjournment, during the whole continuance of the act, to oppose the discharge of prisoners clearly excluded from any benefit under the faid respective VOL. XXXI.

#### Anno decimo fexto GEORGII III. C. 38. 1776.

acts, but who, after having been before one session heard, and refused a discharge, to harrass their creditors, constantly gave fresh notices for cach subsequent session and adjournment of their intended application to be discharged; to remedy which, be it further enacted by the authority aforesaid, That in all cases whatever, the determination of justices tion of the justices in session or adjournment shall be final to all intents and purposes, unless the prisoner shall, during the continuance of this act, get rid of the objection or objections, for which they refused his discharge; and, that the same may be clear and certain, the justices are hereby required to state the unless the pri- objections why fuch prisoner's discharge is refused by them; and, in all cases whatever, it shall and may be lawful to and for the justices, at any subsequent session or adjournment, upon application from the prisoner, upon due proof on oath made to them, by two or more credible witnesses, (which oath they are hereby impowered to administer,) of each objection or objections being removed, and on proof of notice, served, at least ten days previous to fuch application, on the creditor or creditors who before opposed his discharge, and of notice likewise inserted in the Gazette, in manner before directed by this act, to order fuch prisoner to be brought before them, and, if they shall then be of opinion the said prisoner is intitled to the benefit of this act, to order him to be discharged, he taking the oath, and in all other respects conforming to the directions of this act.

LII. Provided always, That every fugitive or fugitives, intitled, or to be intitled, to the benefit of this act, shall obtain their respective discharges on or before the first day of August, one thousand seven hundred and seventy-eight, or shall be ex-

cluded from all benefit of this act.

LIII. And whereas it may happen that several persons, who may claim and be intitled to the benefit of this act, are seised of an estate tail, in Some freehold or copyhold lands, tenements, or hereditaments, which entail, with the remainders thereupon expectant, they have, by law, power to defeat and bar, either by levying a fine or fines, Suffering a common recovery or common recoveries, or by furrender or .furrenders thereof, whereby such person or persons said freehold or copybold lands, tenements, or bereditaments, would be liable to the payment of their dects, and be delivered up, according to the terms of this act, for the benefit of their creditors; be it therefore enacted by the authority aforesaid, That in every such case, such person or perfons fo seised as aforesaid, and who shall be intitled to, and claim the benefit of this act, shall, to all intents and purposes whatfoever in law, be deemed and taken, and is and are hereby declared to be feifed of fuch lands, tenements, and hereditaments in fee: provided the same shall be delivered up to the creditor or creditors of every fuch priloner, in the same manner as if such person or persons had actually levied a fine, suffered a common recovery, or recoveries, or made a furrender or furrenders thereof, and thereby had become feifed in fee; any law, or construction of law, to the contrary thereof, in any-wife notwithstanding.

Determinato be final with respect to the retention of any priloner; foner get rid of the objections for which they refused his discharge. Justic s, on proof by two witnesses of objections being removed, &c. may difcharge fuch priioner.

No fugitive to obtain a difcharge after Aug. 1, 1778.

Perfons feifed of an estate tail, claiming the benefit of this act, are to deliver up. the fame to c. ditout,



## 1776.] Anno decimo sexto Georgii III. c. 38.

LIV. And whereas many persons who may take the benefit of this all, bave been great dealers, or otherwise engaged in large transactions, whereby they may be intitled to fundry and great debts and demands, of various and intricate natures, and they may de intitled to equities of redemption of estates, subject and liable to mortgages, judgements, and other incumbrances, or to reversions, remainders, or other contingent estates in lands, tenements, or hereditaments, or to other trusts or interests in estates, both real and personal, which may not be sufficiently described or discovered in the schedule, or inventory, before directed to be delivered in, upon oath, as aforesaid, or which may want his aid or affistance to adjust, make out, recover, or manage, for the benefit of the creditors: be it therefore enacted by the authority aforesaid, Assignees may That it shall and may be lawful to and for the respective apply for furassignees of the estate and effects of such prisoner or prisoners ther exami-who shall obtain his, her, or their discharge, in pursuance of soners touchthis act, or any other person or persons, duly authorised by them ing the disfor that purpose, from time to time, to apply to any two or covery of their more of the justices of the peace for the county, riding, division, effects; city, town, place, or liberty, where such person or persons shall be then residing, thereby desiring that such person or persons may be further examined as to any matters or things relating to his, her, or their estate or effects; whereupon such justices shall and justices fend for, or call before them, such person or persons, by such may send for warrant, summons, ways, or means, as they shall think fit; and examine and, upon such person's appearing, shall examine him, her, or ingly. them, as well upon oath as otherwise, as to such matters and things, as fuch affignee shall defire, relating to the estate and effects of such person or persons; and if any person or persons Persons refus-(on payment, or tender of payment, of fuch reasonable charges ing to appear, as such justices shall judge sufficient) shall neglect or refuse to or answer come and appear, not having a lawful excuse, to be made known upon oath, to fuch justices, and by them allowed, or, being come before mitted. them, shall refuse to be sworn, or to answer to all such questions as by fuch justices shall be put to him, her, or them relating to the discovery of his, her, or their estate or effects, so vested, or intended to be vested, in such clerk of the peace, town clerk, or other officer acting as clerk of the peace, or in such assignees as aforesaid, that then it shall and may be lawful to and for such justices, by warrant under their hands and feals, to apprehend fuch person or persons so offending as aforesaid, and him, her, or them, to commit to the common gaol, there to remain, without bail or mainprize, until such time as he, she, or they, shall fubmit him, her, or themselves, to such justices, and answer upon oath to all such lawful questions as shall, by such justices, be put to him, her, or them, for the purposes aforesaid.

LV. And be it further enacted by the authority aforesaid, That all and every such person and persons, who shall, within sol. per Cent. twelve months after the discharge of such prisoner or prisoners, allowed for voluntarily come in and make a discovery of any part of such within 12 debtor or debtors real or personal estate, as shall not be com- months, any prised in such schedule as aforesaid, before any justices aforesaid, part of a pri-



## Anno decimo sexto Georgii III. c. 38. [1776.

foner's estate in his ichedule.

shall be allowed after the rate of twenty pounds per Centum, out not comprised of the net produce of such debtor or debtors estate which shall be recovered on such discovery, and which shall be paid to such person or persons so discovering the same, by the assignee or assignees of such prisoner's estate and effects.

Discharge oblently, void.

LVI. Provided always, and be it is enacted, That notwithtained fraudu- standing the discharge of any prisoner or prisoners by virtue of this act, if it shall hereafter appear the same was obtained fraudulently, or that any part of the oath taken by any fuch prifoner was not true; then, and in every fuch case, every such discharge shall be void, and of none effect.

Persons concealing any effate or effects, of the prisoner fortest rool, and double value, with treble cofts of fuit.

LVII. And, for the better discovery of the estate and effects of any prisoner who shall be discharged by virtue of this act, be it enacted by the authority aforesaid, That any person or persons who shall have accepted of any trust or trusts, and shall wilfully conceal or protect any effate, real or personal, of any such prisoner, from his creditors, and shall not, within thirty days after any affignee or affignees shall, in pursuance of this act, be chose of any such prisoner's estate, discover and disclose to such assignee or assignees fuch trust and estate, in writing, and deliver up or make over the same to such assignee or assignees, he, she, or they, so offending, shall, for every such offence, forfeit the sum of one hundred pounds, and also double the value of the estate, either real or personal, so concealed, to and for the use of the creditors of any fuch prisoner; to be recovered by action of debt, in any of his Majesty's courts of record at Westminster, in the name or names of the assignee or assignees of such prisoner's estate, together with treble costs of fuit.

Assignees, with confent of the majority in value of the creditors, may debts due to the prisoner's sitaic;

LVIII. And be it further enacted by the authority aforesaid, That it shall be lawful, at all times hereafter, for any affignee or assignees, of the estate or effects of any prisoner or prisoners, who shall be chose in pursuance of this act, by and with the consent of the major part in value of such prisoner or prisoners creditors, who shall be present at a meeting, to be held on compound for twenty-one days publick notice being previously given for the purpose hereafter mentioned, in the London Gazette, if the prisoner was in custody in London, or within the weekly bills of mortality, and if not, then also in some newspaper, which thall be published in the county, city, or place, in or near which any fuch person shall have been in gaol, to make composition with any person or persons, debtors, or accountants, to such prisoner or prisoners, where the same shall appear necessary or reasonable; and to take such reasonable part of any such debt as can, upon fuch composition, be gotten in full discharge of such debts and accounts, and also to submit any difference or dispute between such assignee or assignces, and any person or persons for or on account, or by reason or means of any matter, cause, or thing, relating to fuch prisoner or prisoners estate and effects, or to any debt or debts due, or claimed to be due, to or from such priloner or prisoners, to the final end and determination of arbitrators, to be chosen by the said assignee or assignees, and the

major

and may fubm t any difpute relating t ereto to arbitiation;



#### Anno decimo fexto Georgii III. c. 38: 1776.]

major part in value of such creditors, and the party or parties with whom they shall have no difference; and to perform the award of fuch arbitrators, or of any umpire to be chosen by them, or otherwise to settle and agree the matters in difference or dispute between them, in such manner as the said assignee or assignees, with such consent as aforesaid, shall think fit and can agree; and the same shall be binding to all the creditors of such prisoner or prisoners; and every such affignee or assignees is and are hereby indemnified for what they shall fairly do in the pre-

mises, in pursuance of this act. LIX. And whereas, under former alls of this nature, no provision was ever made as to what should become of the estate and effects of any prisoner or prisoners, fugitive or fugitives, not got in, obtained, or recovered, by any affignee or affignees chose pursuant to the directions of the several acts, at the time of his or their death or deaths, and whose heir or heirs, executors, administrators, and assigns, refused to all or meddle therein; to remedy which, be it enacted, That in If affignees all fuch cases, it shall and may be lawful to and for the creditors die before the of every such prisoner or prisoners, fugitive or fugitives, to effects of the chuse a new assignee or assignees in manner and form as herein- got in, and before is directed, and to obtain a new assignment from the their heirs, clerk of the peace, or his deputy, town clerk, or other officer &c. refuse to acting as clerk of the peace, pursuant to the order of the justices, act, other afand which said order the said justices are hereby required and im- appointed, powered to direct, (on due proof on oath being made to them and creditors of the death of fuch former assignee or assignees, and refusal of to obtain a his or their heirs, executors, administrators, or assigns, to act or new assignmeddle therein;) and the said clerk of the peace, or his deputy, ment from the town clerk, or other officer acting as clerk of the peace, are peace, which hereby impowered to obey the same, and execute such assign- the justices ment accordingly, in manner and form as if no former assign- are to direct. ment had ever been made; the faid affignee or affignees, clerk Clerk of the of the peace, or his deputy, town clerk, or other officer acting peace to obey as clerk of the peace, hereby conforming to all orders and direc- it no afrigntions made by this act, relative to them or any of them; and to ment had been be liable to all such pains and penalties as are inflicted on them, made. or any of them, by virtue of this act, for disobedience in any part thereof, or neglect of duty whatever; and in case any such assignee or assignees shall die, and his heirs, executors, administrators, or assigns, shall refuse to act, that then, and in such case, it shall be lawful for such justices of the peace to appoint a new affignee or affignees, with the like powers and authorities as are given by this act; and the faid justices shall have power, in a summary way, to oblige the heirs, executors, administrators, and assigns, of such assignee or assignees, to account and deliver up all fuch estate and effects as shall remain in his or their hands, to be applied for the purpoles of this act.

LX. And, to the intent and purpose that the estate and effects of such prisoner or prisoners as shall be discharged by virtue of this act may be duly and faithfully applied for the benefit of his, her, or their real creditors, be it enacted by the authority aforesaid, That it shall

Anno decimo sexto Georgii III. c. 38.

Affignees complained against for infufficiency, fraud, mitmanagement, or other mifbehaviour;

the court thereupon is to lummon the parties, and make fuch as they shall think fit.

wo nete wittual credit has been given, the balance to be stated and allowed.

thall and may be lawful to and for the respective courts at Westminster, and the courts of great sessions in Wales, and the principality of Chester, and the counties palatine of Lancaster and Durbam, respectively, from whence any process issued upon which any such prisoner or prisoners was or were committed; or where the process issued out of any other court, to and for the judges of the court of King's bench, common pleas, and exchequer, or of great sessions aforesaid, within their respective jurisdictions, or any one of them, from time to time, upon the petition of any fuch prisoner, or the creditor or creditors of such prisoner or prisoners, complaining of any insufficiency, fraud, mismanagement, or other misbehaviour of any assignee or assignees of the estate or effects of any such prisoner or prisoners, to fummon all parties concerned, and, upon hearing the parties concerned therein, to make and give such orders and directions therein, either for the removal or displacing such assignee or assignees, and appointing any new assignee or assignees, in the orders therein place or stead of such assignee or assignees so to be removed or displaced, or for the prudent, just, or equitable management or distribution of the estate and effects of any such prisoner for the benefit of the respective creditors, as the said courts or judges respectively shall think fit; and in case of the removal or displacing of any assignee or assignees, and the appointing of any new assignee or assignees, the estate or effects of such prisoner or prisoners shall, from thenceforth, be divested out of the affignee or affignees so removed or displaced, and be vested in, and delivered over to, such new assignee or assignees, in the same manner, and for the same intents and purposes, as the same were before vested in the assignee or assignees first choic as aforesaid; any thing in this act contained to the contrary notwithstanding.

LXI. Provided always, and be it enacted by the authority aforesaid, That in all cases where mutual credit hath been given between any prisoner or prisoners who shall be discharged in pursuance of this act, and any other person or persons, or body politick or corporate, before the delivery of such schedule or inventory of the estate and effects of such prisoner or prisoners, upon oath as aforesaid, the respective assignee and assignees of fuch prisoner or prisoners is and are hereby authorised and required, on his and their parts, to state and allow an account between them and the other party or parties concerned; and nothing more shall be deemed to be vested in such clerk of the peace, town clerk, or other officer acting as clerk of the peace, or such assignee or assignees under such clerk of the peace, town clerk, or other officer acting as clerk of the peace, as the estate or effects of fuch prisoner or prisoners, than what shall appear to be justly due to him, her, or them respectively, as and for the balance of fuch account, when truly stated.

Persons com-

LXII. And whereas many persons are often committed on attachmitted for not ments, for contempts, for not paying money awarded to be paid under awarded un. Submissions to arbitrators by rules of court, or under submissions to

#### 1776 Anno decimo sexto Georgii III. c. 38.

arbitration bonds, and which submissions have been made rules of court, der submisin pursuance of an act, passed in the ninth and tenth years of the reign sions to achi of William the Third, for determining differences by arbitration; tration; and likewise for not paying of costs duly and regularly taxed and and for not allowed by the proper officer, after proper demands made for that paying cotts, purpose; and also upon any writ of Excommunicato Capiendo, or &c. other process for, or grounded on, the non-payment of costs or expences in any cause or proceeding in any ecclesiastical court, or for any contempt to such court, it is hereby declared and enacted, That all are intitled to fuch persons are and shall be intitled to the benefit of this act, the benefit of on being subject to the same terms and conditions as are herein this act. expressed and declared with respect to prisoners for debt only.

LXIII. And whereas great numbers of poor people have been and are now imprisoned for debt, upon processes issuing out of courts of Prisoners upconscience; it is hereby enacted and declared, That all such pri- on process foners shall be intitled to have the benefit of this act, and be out of courts discharged under the same, provided he, she, or they, conform of conscience, to the directions herein-before prescribed, touching other pri- to have the foners who shall be discharged by virtue of this act.

LXIV. And be it further enacted by the authority aforefaid, That in all cases wherein by this act an oath is required, the Quaker's af-

solemn affirmation of any person, being a quaker, shall and may firmation to be accepted and taken in lieu thereof; and every person mak- be taken in lieu of an income such affirmation, who shall be convicted of wilful and sale lieu of an ing fuch affirmation, who shall be convicted of wilful and false oath. affirming, shall incur and suffer such and the same penalties as

are inflicted and imposed by this act upon persons convicted of wilful and corrupt perjury.

LXV. Provided always, and be it further enacted by the authority aforesaid, That no person who shall have taken the Persons who benefit of any act heretofore passed for the relief of insolvent have taken the debtors, within the space of eight years last past, shall have or benefit of any receive any benefit or advantage of or under this act, nor be within eight deemed to be within the intent and meaning thereof, fo as to years, exbe discharged under the same; any thing herein-before contain-cluded from ed to the contrary notwithstanding; unless such person shall be this act: willing to serve, and shall actually enter himself to serve, on Exception. board some one of his Majesty's ships of war, for the term of feven years, or shall inlist as a soldier in some of his Majesty's land forces.

LXVI. And be it further enacted, That when any prisoner, who may have taken the benefit of any infolvent act within the Prisoners who space of eight years last past, shall under this act apply for his have taken discharge, every such prisoner shall produce to the court (to such benefit, which he shall make application for such discharge) a certificate ply for disin writing, figned by an officer properly authorifed to engage or charge under enlist men for his Majesty's sea or land service [as the case may be,] this act, to fetting forth that he was on the day of [insert the date] engaged or inlisted [as the case may be] to serve tificate, signed as a mariner or soldier in his Majesty's sea or land service, by a proper which certificate shall be attested by one or more credible wit-officer, setness or witnesses; and in case such certificate shall not be pro-ting forth that

produce to the court a cerduced, they are in-

250

listed to serve his Majesty, Scc.

This act not to extend to Scotland.

Clause of relief for banksupts, who have not obtained certificates and difcharge of their debts.

duced, or shall not be properly authenticated in manner aforefaid, to the satisfaction of the justices before whom any such prisoner shall be brought, he shall be remanded back to the prison from whence he came, there to remain till he shall have fully complied with the directions aforesaid, or shall by other legal means fooner obtain his discharge.

LXVII. Provided also, and it is hereby enacted, That nothing in this act contained shall extend to that part of Great Britain

LXVIII. And whereas bankrupts who have not obtained their cer-

called Scotland.

tificates and discharge of their debts, under some one of the acts reluting to bankrupts, have not been deemed to be within the meaning of acts of insolvency, as such bankrupts have no schedules to deliver up according to the terms and conditions of such acts; nevertheless, as many bankrupts are confined in prison for debt only, though they have already delivered up their whole estates and effects, or, from a fear of being arrested and thrown into prison, are frequently induced to abscond from their homes, and go into foreign parts: be it further enacted by the authority aforesaid, That such person or persons, against whom a commission of bankruptcy hath been awarded and issued, on or before the twenty-second day of January, one thoufand feven hundred and feventy-fix, or who shall have been really an actual prisoner or prisoners, in the custody of any gaoler or gaolers, or keeper of any prison respectively, on or before the twenty-second day of January, one thousand seven hundred and feventy-fix, and against whom a commission of bankruptcy shall have fince been awarded and issued, and who hath or have duly conformed, or shall duly conform, him, her, or themselves, to the feveral acts of parliament relating to bankrupts, and hath not or have not been committed to any prison by a warrant of the commissioners in such commission named, for contumacy or noncompliance to those laws, and who now is or are in prison for debr, damages, contempt, costs of sait, or any sum or sums of money due and accrued previous to fuch commission, or who now are secreting themselves in fear of their creditors; and shall be hereafter sued, arrested, or held to bail, or shall surrender him, her, or themselves, or be surrendered, in discharge of his, her, or their bail, or taken in execution in any fuit or action for any fuch debt or debts as aforesaid, shall and may apply to any one of the judges of the court wherein fuch process or processes hath or have issued, to summon his, her, or their plaintiff or plaintiffs, to thew cause why such bankrupt or bankrupts should not be discharged from his, her, or their imprisonment, or arrest as aforesaid, such bankrupt or bankrupts first making oath before fuch judge, (or if at a distance from such judge, then before a justice of the peace) who is hereby authorised to administer such oath, that such debt or debts did accrue previous to the iffuing fuch commission; and such plaintiff or plaintiffs not appearing, or not proving that such bankrupt or bankrupts hath or have concealed any part of his, her, or their estate, or effects, or hath or have not duly conformed him, her, or themselves, to the



## 1776.] Anno decimo fexto Georgii III. c. 38.

laws now in force against bankrupts, such judge shall and may discharge such bankrupt or bankrupts from such imprisonment or arrest as aforesaid; such bankrupt or bankrupts, causing a common appearance to be entered for him, her, or them, where necessary, in every such suit or action; and if any such bank upt or bankrupts shall be afterwards again sued and arrested, or taken in execution, or imprisoned, in any suit or action for such debt or debts, previous to such commission as aforesaid, any judge of the court wherein such process issued shall, upon summons of the proper party or parties, immediately discharge such bankrupt or bankrupts from such arrest or imprisonment; nevertheless such bankrupt or bankrupts shall, in all other respects, be deemed subject to the laws in force against bankrupts; and every theriff and theriffs, bailiff and officer, gaoler and keeper of a prison, is and are hereby required, on proper notice being given of fuch judge's discharge, to release and set free such bankrupt or bankrupts out of his or their custody, and each and every of them is and are hereby indemnified from any action or actions that may be brought, commenced, or profecuted against him or

them, for any escape for or on account thereof.

LXIX. And whereas many bankrupts, having in all respects strictly conformed themselves to the directions of the bankrupt laws. have, notwithstanding, been unable to obtain their certificates, and have, on that account, been discouraged from exerting their industry in the pursuit of their several occupations; either living in the most unhappy and distressed situation at home, or seeking relief in foreign countries, where they can earn and secure to themselves the profit of an industrious application to business; some of whom have carried with them the aris, manufactures, and commerce of this country, to the great prejudice thereof: and whereas some relief given in such particular cases, might prevent the evils arising to the publick, and be an encouragement for Such individuals to follow their different occupations at home; be it enacted, That any person or persons against whom Clause with a commission of bankruptcy hath been awarded and issued, on respect to or before the twenty-second day of January, one thousand seven who have con hundred and seventy-fix, and who hath or have in all things formed them. conformed to the feveral acts now in force concerning bank- selves to the rupts, by his, her, or their furrender and submission thereto, bankrupt and who shall not have been committed for any act of contumacy or nonconformity, yet who hath not or have not gained a total discharge from his, her, or their creditors, of his, her, or their debts, arising or accruing previous to such commission, for want of their certificate, shall have liberty, after the expiration of twelve calendar months from the day of the date of every fuch commission respectively, to petition or to apply, by motion of court, to the lord chancellor, lord keeper, or lords commitsioners for the time being, setting forth the true circumstance of the case relative to such commission and certificate; and the lord chancellor, lord keeper, or lords committioners as aforefaid. shall have power and authority to direct and order the acting

**≖**5€

Anno decimo fexto Georgii III. c. 38. [1776.

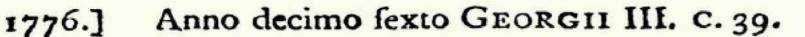
commissioners in the respective commissions named, to certify to the faid lord chancellor, lord keeper, or lords commissioners, the conformity or nonconformity of fuch bankrupt or bankrupts, and such other matter as to them shall seem necessary concerning the same (the said acting commissioners being hereby authorised and required so to do;) and the lord chancellor, lord keeper, or lords commissioners, as aforesaid, shall thereupon have power and authority, if he or they shall so think fit, to direct and order an advertisement to be inserted in the London Gazette, for the allowance of fuch bankrupt's certificate, (although the same shall not appear to have been signed or confented to by four-fifths in number and value of the faid bankrupt's creditors, agreeable to the laws now in being,) in the same manner and form as if the said certificate had been signed as aforesaid; and in case no sufficient cause shall be shewn to the contrary within the time limited by the faid advertisement, the faid lord chancellor, lord keeper, or lords commissioners as aforesaid, shall have power and authority to allow such bankrupt's certificate, in the like manner as if the same had been figned agreeable to the laws now in being, and grant or make fuch other order thereupon, for the relief and discharge of such bankrupt or bankrupts from his, her, or their debts as aforesaid, or otherwise, as to the lord chancellor, lord keeper, or lords commissioners, shall seem proper; which certificate, if so allowed, shall be as full and effectual, to all intents and purposes, as if the same had been duly obtained and allowed agreeable to the directions of the feveral laws now in force concerning bankrupts; any law or usage to the contrary notwithstanding. LXX. And whereas the case of Thomas Touchet, late of Man-

chefter, merchant, and now a prisoner in the King's Bench prison, is attended with very particular circumstances, and that the said Thomas Touchet is lunatick; be it therefore enacted by the authority aforesaid, That although the sum due and owing by the said Thomas Touchet to one creditor does exceed the sum of one thousand pounds, and notwithstanding his said lunacy, he the said Thomas Touchet shall be intitled to all the benefits of this act, in all respects whatsoever, as if the said Thomas Touchet had not owed more than one thousand pounds to one person, and was not lunatick, any thing in this act to the contrary hereof in anywise notwithstanding; and that all acts done or consented to by the committee of his estate and effects shall be good and valid to all intents and purposes, as if the same were done and

consented to by the said Thomas Touchet himself.

Lord chancellor, &c.
impowered to
allow fuch
bankrupts
certificates,
although not
figned by
four-fifths of
their creditors.

Clause in fayour of Thomas Touchet, merchant.



### C A P. XXXIX.

An all for repealing a clause in an all, made in the thirteenth year of the reign of his present Majesty, intituled, An act to explain, amend, and reduce into one act of parliament, the general laws now in being for regulating the turnpike roads in that part of Great Britain called England, and for other purposes; which relates to the counterfinking of the tire of the wheels of all waggons, wains, and other carriages, to be used on turnpike roads; and for explaining a provision in the said att, with respect to the fellies and tire of carriages having the fellies of the wheels of the gauge of fix inches or upwards.

WHEREAS by a clause in an all of parliament, made in the Preamble. thirteenth year of his present Majesty's reign, (intituled, An A clause, in act to explain, amend, and reduce into one act of parliament, Act 13 Geo. 3. the general laws now in being for regulating the turnpike roads recited, in that part of Great Britain called England, and for other purposes;) it is enacted, That the tire of the wheels of all waggons, wains, carts, and other carriages, to be used on any turnpike road, shall be countersunk, by placing the same upon the fellies in such manner that the nails shall not rife above the surface, and that the sole or surface of the wheels shall be quite flat; and that the owner of every carriage offending therein Shall forfeit the sum of forty Shillings; and every driver, not being the owner, the sum of twenty Shillings, for every offence; which provisions are attended with great inconvenience; be it therefore enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said clause shall be, and and repealed. the same is hereby repealed.

II. And whereas by the faid all it is provided, That no person or persons shall be allowed to take the benefit of certain exceptions in the Said all mentioned, or have the power of compounding for tolls, in re-Spect of carriages baving the fellies of the wheels thereof of the breadth or gauge of six inches, or upwards, unless the fellies, and the tire upon Such fellies, Shall lie flat: and whereas doubts may arise concerning the construction of the said provision, which, according to the Strict sense of the words, cannot be complied with: to the end therefore that all per-Sons who shall endeavour to comply with the said provisions may receive the benefit of such exemptions and compositions; be it further enacted A provision in by the authority aforesaid, That all wheels of the breadth or the said act, gauge of fix inches, or upwards, the fellies or tire whereof thall respecting the not deviate more than one inch from a flat furface, shall be tire of cardeemed and taken to be flat, according to the true intent and riages, &c. meaning of the said act.

explained.



### CAP. XL.

An all for obliging the overseers of the poor, within the several parishes and places within that part of Great Britain called England, to make returns, upon oath, to certain questions, specified in the act, relative to the state of their poor; and to authorise and require the justices of the peace, within their respective divisions and jurisdictions, in the several counties and cities in England and Wales, to take such returns upon oath, and to cause them to be transmitted to the clerk of the parliaments.

Preamble.

THEREAS the great and encreasing expence of maintain-Ing and providing for the poor, within that part of Great Britain called England, and the continual distresses of the poor notwithstanding, make it highly expedient for the legislature to take that great subject into their most serious consideration: and whereas information of the flate of the poor, and the nature of those expences, may be necessary to be procured in order to enable the two houses of parliament to judge of proper remedies to redress those grievances; but it is apprehended such information cannot be effectually obtained without the aid and authority of parliament; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That a sufficient number of printed copies of this act shall, as soon as conveniently may be after the passing hereof, be transmitted, by George White esquire, one of the clerks of the house of com-Whitee quire, mons, to the clerks of the peace and town clerks of the several and respective counties, ridings, divisions, precincts, sokes, franchises, liberties, cities, and counties corporate, in England and Wales; and that the faid several clerks of the peace and town clerks shall, and they are hereby required, with all convenient speed, to cause the said act to be distributed amongst the acting justices of the peace within their respective limits; and also to cause a sufficient number of the schedule to this act annexed, to be printed and delivered to the high constables, or other proper officers within their respective limits, at the Midsummer quarter fession of the peace in one thousand seven hundred and seventy-Returns made fix; and also to receive the answers and returns made by overfeers of the poor, pursuant to the directions herein-after given, and transmit the same to the clerk of the parliaments with all convenient speed, in order that the same may be inspected by the members of both houses of parliament, upon pain of forfeiting, for every neglect and default, a fum not exceeding five pounds, nor lefs than twenty thillings.

transmitted, by George to the clerks of the peace, &c. in England and Waies, to be distributed amongit the justices, &c.

Printed co-

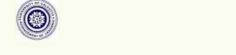
pies of this

act to be

by overfeers to be tranfmitted to the clerk of the parliaments.

Justices, between the Midfummer feffion, and Cict. 20, 1776, to appoint a

II. And be it further enacted, That the several justices of the peace, within their respective jurisdictions in England and Wales, shall, as soon as conveniently may be after the Midsummer selfion, one thousand seven hundred and seventy-fix, appoint a time and place or times and places, which time or times shall



## 1776.] Anno decimo sexto Georgii III. c. 40.

be on or before the twentieth day of October, one thousand seven meeting, and hundred and seventy-six, for the overseers of the poor of the give notice feveral parishes, townships, and places, within their respective to overseers jurisdictions, to attend them at such meeting or meetings for the them, &c. purposes of this act, with returns and answers to the questions stated in the schedule to this act annexed, and cause notice thereof to be given to such overseers respectively, and also to the high constables, or where there are no high constables, to such other proper officers who have the execution of precepts from justices of the peace to inferior officers within such respective jurisdictions, requiring their attendances at such meetings for the pur-

poles of this act.

III. And be it further enacted, That the faid justices of the Overseers to peace shall, and they are hereby also required, at such meeting gi e in anor meetings, so to be appointed by them as aforesaid, to receive swers and re-and take the answers and returns to be made by the overseers of able to, and the poor pursuant to the directions aforesaid, and then and there to take the administer to them respectively the oath contained in the said oath containschedule; and such justices, if they see cause, may examine such ed in, the overfeers upon oath, touching any of the matters contained in fuch questions and answers, and call for the accounts of the overfeers of the poor for the preceding year, if they shall see fit, in order to explain and verify the faid accounts as shall be then made; and the faid justices shall then deliver such answers and Justices to dereturns to the respective high constables or other proper officers liver the anas aforesaid, in order that the same may be by them transmitted swers and reto the clerks of the peace or town clerks, as herein is directed.

IV. And be it further enacted, That the high constables, or The duty of other proper officers fo described as aforesaid, within the respec- high constative jurisdictions aforcsaid, shall, at the Midsummer quarter sef- bles in putfions in one thousand seven hundred and seventy-fix, pursuant ting this act to the directions aforesaid, receive from the said clerks of the in execution. peace, or town clerks, the faid printed schedules, and deliver, or cause to be delivered, one such schedule to one of the overseers of the poor of every parish, township, or place, as well within towns corporate as without, within their respective limits; and, when required by the respective justices of the peace as aforesaid, attend the faid respective meetings, and then and there receive the feveral answers and returns made by the overscers of the poor, and indorfe upon the back of each of them the name of the hundred, rape, wapentake, lathe, precinct, soke, franchise, liberty, city, or county corporate, wherein the parish, township, or place, therein mentioned, is fituate, and transinit the fame, together with a true and perfect lift of the names of the overfeers of the poor of every parith, townthip, and place, to whom fuch schedules had been delivered as aforesaid, to the several clerks of the peace, and town clerks, at the then next Michaelmas quarter sessions of the peace, or the adjournment thereof, which adjournment the justices at such quarter sellions are required to make to some convenient day, within one week after the faid twentieth day of October, in cases where such returns

conitables.

## 256

Anno decimo fexto GEORGII III. c.40.

Penalty for neglect thereof.

shall not be made at the said Michaelmas quarter sessions, upon pain of forfeiting, for every default or neglect in the matters aforesaid, a sum not exceeding five pounds, nor less than forty shillings.

Overfeers to attend the justices at meetings, and deliver in writing, true answers and returns, &c.

V. And be it further enacted, That the overfeers of the poor of every fuch parish, township, and place, shall, and are hereby required to attend the justices of the peace at such meeting or meetings, and then and there deliver to the faid justices, in writing figned by them, a just and true answer and return to the said questions, upon oath, as before directed; and that every overfeer making default in any of the matters hereby required, shall, for every fuch neglect or default, forfeit a fum not exceeding five pounds, nor less than forty shillings, at the discretion of the justice or justices before whom complaint thereof thall be made: Overseers im- and in order to enable the said overseers to make answers and returns as aforesaid, they are hereby authorised and impowered to call for, inspect, and take copies of, the accounts of the preceding overseers, or so much thereof as shall be necessary; and every person or persons, in whose custody or power every such accounts shall be, shall and are hereby required to produce and deliver such accounts to the said overseers, for the purposes aforesaid, upon pain of forfeiting, for every default or neglect in the premises, a sum not exceeding five pounds, nor less than

forty shillings, at the discretion of the justice or justices before

powered to take copies of accounts of preceding overfeers. Penalty on persons refusing to deliver fuch accounts.

Fees to be alreturn:

To the clerk of the peace, 2 s. 6d.

High conftable, 1 s. 6d. Overfeers, 2 s. Tuttices cleiks, Is.

Penalties and forfeitures, how to be recorered and applied.

whom complaint thereof shall be made. VI. And be it further enacted, That there shall be paid and lowed for each allowed, for the trouble and expences of the several persons employed in the transactions aforesaid, for every return which shall be so made and transmitted to the clerks of the peace and town clerks respectively, pursuant to the directions aforesaid, the sums following, and no more; videlicet, to the clerk of the peace or town clerk, for the return which shall be made from every such parish, township, and place, the sum of two shillings and sixpence: to the high constable, or other proper officer, for the like, the fum of one shilling and sixpence: to the overseers of the poor, for the like, the fum of two shillings: to the clerks of the justices of the peace, for the like, the sum of one shilling : and that the justices of the peace, at their respective quarter fession, which shall be held next after Michaelmas, one thousand feven hundred and feventy-fix, shall, and are hereby required to make an order upon their respective treasurers to pay the same out of the rates to be made and collected for the respective counties, ridings, divisions, precincts, sokes, franchises, liberties, cities, and counties corporate.

VII. And be it further enacted, That the several forfeitures and penalties inflicted by this act shall, if not immediately paid, be levied by diffress and sale of the offender's goods and chattels, by virtue of a warrant under the hand and feal of any justice of the peace having jurisdiction where such offender shall dwell, rendering to the faid offender the overplus, if any, after the charge of fuch diffress and sale shall be deducted; and in case



## 1776.] Anno decimo fexto Georgii III. c. 40.

fufficient distress shall not be found, then it shall be lawful for such justice to commit such offender to the common goal, there to remain, without bail or mainprize, for a term not exceeding twelve calendar months, unless the said forfeiture and charges shall be sooner paid; and the said forfeitures when recovered shall be paid and applied, one half to the informer, and the other half to the said respective treasurers in aid of the rates aforesaid; and any person shall be deemed a competent witness for the execution of any of the purposes of this act, notwithstanding his paying, or being liable to pay, to such county rates.

# SCHEDULE.

QUESTIONS, to which, by direction of an act, paffed in the fixteenth year of his majesty King George the Third, intituled, An act for obliging the overfeers of the poor, within the feveral parishes and places within that part of Great Britain called England, to make returns, upon oath, to certain questions, specified in the act, relative to the state of their poor; and to authorize and require the justices of the peace, within their respective divisions, and jurisdictions, in the several counties and cities in England and Wales, to take such returns upon oath, and to cause them to be transmitted to the clerk of the parliaments; Answers are to be returned by the overseers of the poor of every parish, township, and place, in writing, upon oath, and signed by them; for which purpose the said over seers are to aftend the justices of the peace, within their respective jurisdictions, at such times and places as they shall appoint, on pain of forfeiging, for every default or neglect, a sum not exceeding five pounds, nor less than forty Shillings.

ANSWERS returned to those questions, by the overseers of the poor of the parish [town-ship, or extraparochial place, as the case may be] of in the county [riding, division, &c. as the case may be] of the day of one thousand seven hundred and seventy-six.



#### Anno decimo sexto Georgii III. C. 40. [1776.

- I. TAT Was the a-1 mount of the affeffments for the relief of the poor, in the year ending at Easter, one thousand seven hundred and feventy-fix?
- II. How much of those affestments was applied for the relief or on account of the poor, and how much for the payment of county rates, or any other purpofes; diftinguishing also the amount of what paid for the rent of work-houses, or paid or allowed for habitations for the poor; and, if any of the poor refide in houses built at the expence of the parish, township, or place, state the total annual value of fuch houses?

- III. What number of poor have received constant relief during that year, and what has been the expence thereof, as near as the same can be estimated?
- IV. Is there a workhouse in There is a workhouse, which your parish? if so, what I number of poor will it accommodate?

- HE affesiments for the relief of the poor, in the year ending at Easter, one thousand seven hundred and feventy-fix, amounted
- There was applied of the money collected under those affessments, on account of the poor only,
- Ditto for the payment of county rates, or other purpofes, the fum of
- Out of which money applied on account of the poor, there was paid for rent of workhouses, the fum of
- Out of ditto there was paid or applied for habitations for the poor, the sum of
- The annual value of houses occupied by poor persons, which are the property of the inhabitants of the faid parish, [township, or extraparochial place] amounts to
- The number of poor, who received constant relief in that year, was
- The expence of maintaining them, as near as the fame can be estimated, amounted to £.
- will accommodate about persons.



## 1776.] Anno decimo sexto Georgii III. c. 41.

V. What was expended in litigations about fettlements, removals, appeals, or other disputes concerning the poor, within that year; distinguishing how much of such expences arose from disputes with parishes, townships, or places, not within county, riding, division, precinct, foke, franchise, liberty, city, or county corporate, wherein fuch parish, townthip, or place lay?

There was expended in litigations, about fettlements, removals, and other disputes concerning the poor, within that year, as near as the same can be estimated, the sum of £.

Of which there was expended in disputes with parishes, townships, or places, not within the county, riding, division, soke, franchise, liberty, city, or county corporate, wherein such lay,

the sum of £.

### Form of the Oath.

YOU shall swear, That the answer and return now made by you to the several questions contained in the schedule thereunto annexed, is a full and true answer to the said questions, to the best of your knowledge and belief.

#### CAP. XLI.

An act for granting a bounty upon flax seed, the growth of the United Provinces, or of the Austrian Netherlands, imported into Ireland, for a limited time.

THEREAS, by an act of parliament, made in the fifteenth Preamble. year of his Majesty's reign, (intituled, An act for allowing Act 15 Geo. 3. the cloathing and accourrements necessary for his Majesty's recited. forces, paid out of his Majesty's revenues arising in the kingdom . of Ireland, to be exported from thence to the places where such forces are ordered to ferve; and for granting a bounty upon flax feed imported into Ireland, for a limited time,) reciting, That, by virtue of an act of parliament, made in Ireland, the third year of his Majesty's reign, a premium or bounty of five shillings per hogshead is allowed and paid out of the revenue of that kingdom upon the importation of flax feed, which bounty was not, at that time, Sufficient to answer the good purposes intended thereby, and it was expedient that some further encouragement should be given for a limited time, to induce the importation of flax feed into Ireland, in order to promote and encourage the linen manufactures of that kingdom; it is therefore, amongst other things, enacted by the Jaid recited act, That, from and after the first day of January, one thousand seven bundred and Seventy fix, for and during the space of two years, and from thence to the end of the then next session of parliament, a further bounty of five shillings per hog shead shall be allowed for all flax seed imported into the kingdom of Ireland; and that it shall and may be lawful for the commissioners of his Majesty's customs in England, or any four or VOL. XXXI.

act of the

G30. 3

Ireland, 16



Anno decimo sexto Georgii III. c. 41. 1776. more of them, to order the faid bounty thereby granted, to be paid by the receiver-general of the customs, out of any money in his hands, arifing by any of the duties or revenues under their management, to the importer or importers of such flax seed, or to his or their assigns, duly authorised to receive the same, upon his or their producing a certificate under the hand and seal of office of the collector and comptroller of the customs at the port in Ireland, where such flax seed was imported and landed, certifying the number of hog sheads so landed, with the name of the Ship and master in which, and the place from whence, and by ruhom and at what time the same was imported, and that the bounty granted by the before mentioned act of parliament, made in Ireland, Recital of an had been paid and allowed for the same: and whereas, by an act of parliament, made in Ireland in the sixteenth year of his Majesty's parliament of reign, intituled, An act to amend an act, passed in the third year of his Majesty's reign, (intituled, An act for the continuing the encouragement given by former acts of parliament, to the flaxen and bempen manufactures) a bounty of five shillings per hog shead is allowed, and paid out of the revenue of that kingdom, upon the importation of flax seed, of the growth of the United Provinces, or of the Austrian Netherlands, from the first day of January, one thousand Seven hundred and seventy-six, until the first day of May, one thoufand seven hundred and seventy-eight, subject to the several clauses, regulations, and restrictions, contained in the said all of parliament, made in Ireland, in the third year of his Majesty's reign, concerning the bounties therein given and provided: and whereas, in order to encourage and promote the linen manufactures in Ireland, it is deemed expedient in like manner to extend the bounty granted by the faid recited act of parliament, made in this kingdom, in the fifteen b year of bis Majesty's reign, to all flax seed, of the growth of the said United Provinces, and of the Austrian Netherlands, imported from thence into Ireland; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual

A bounty of 5 s. per hogthead on all flax-feed of the United imported into Ireland after Jan. 1, 1776, for two years.

and temporal, and commons, in this present parliament assembled, and by the authority of the same, That a bounty of five shillings per hogshead shall be allowed, for all flax seed, of the growth of the faid United Provinces, or of the Austrian Netherthe growth of lands, which hath been, or shall be, imported from thence into the kingdom of Ireland, from and after the faid first day of Provinces, &c. January, one thousand seven hundred and seventy-fix, for and during the space of two years, and from thence to the end of the then next session of parliament; and it shall and may be lawful for the commissioners of his Majesty's customs in England, or any four or more of them, to order the faid bounty, granted by this act, to be paid by the receiver-general of the customs out of any money in his hands, arising by any of the duties or revenues under their management, to the importer or importers of fuch flax feed, or to his or their assigns, duly authorised to receive the same, upon his or their producing a certificate under the hands and feal of office, of the collector and comptroller of the customs at the port in Ireland, where such flax feed was import-



#### Anno decimo sexto GEORGII III. C. 42. 1776.]

ed and landed, certifying the number of hogsheads fo landed, with the name of the ship and master in which, and the place from whence, and by whom, and at what time, the same was imported, and that the bounty granted by the before mentioned act of parliament, made in Ireland, in the fixteenth year of his Majesty's reign, had been paid and allowed for the same.

### C A P. XLII.

An all for allowing corn, grain, and flour, imported into the port of Preston, to be landed without payment of the duties, under the like restrictions as corn, grain, and flour is allowed to be landed at the Several ports mentioned in an act, made in the thirteenth year of the reign of his present Majesty, intituled, An act to regulate the importation and exportation of corn. .

HEREAS by an act, made in the thirteenth year of the Preamble. reign of his present Majesty, (intituled, An act to regulate Act 13 Geo. 3. the importation and exportation of corn) it is enacted, That in recited. case any wheat or wheat flour, rye, pease, beans, barley, beer, bigg, or oats, shall be imported into any or either of the ports in the faid att particularly mentioned, at any time when the duties not repealed by the Said all shall be due and payable for such species of corn, grain, or flour respectively; the same, upon due entry thereof, may be forthwith landed from on board the ship or vessel, in which such species of corn, grain, or flour, shall be so imported in the presence of the proper officer or officers of the customs, without payment of the said duties, under certain restrictions and regulations, in the Said act mentioned and prescribed: and whereas it is expedient that corn, grain, and flour, imported into the port of Preston at any time when the duties not repealed by the said att shall be due and payable for such species of corn, grain, or flour respectively, should in like manner be landed without payment of the said duties; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament affembled, and by the authority of the same, That in The said act case any wheat or wheat flour, rye, peafe, beans, barley, beer, extended to bigg, or oats, shall be imported into the said port of Preston, at Preston, with any time when the duties not repealed by the said act shall be respect to imdue and payable for fuch species of corn, grain, or flour respec- porting tively; the same, upon due entry thereof, may be forthwith wheat, rye, landed from on board the ship or vessel in which such species of &c. corn, grain, or flour, shall be so imported, in the presence of the proper officer or officers of the customs, without payment of the faid duties; and fuch corn, grain, and flour, shall be subject and liable to be warehoused, and to be delivered in the same manner, and under and subject to the like securities, conditions. regulations, and restrictions, as corn, grain, and flour, imported into any or either of the several ports mentioned in the said act are subject and liable to, as fully and effectually to all intents and purposes, as if the said port of Preston had been included in T 2

**262** 

T. 1776. Anno decimo sexto Georgii III. c. 43. the said act; any law, custom, or usage, to the contrary thereof, ih any-wife notwithstanding.

### CAP. XLIII.

An all to authorise, for a limited time, the punishment by hard labour of affenders who, for certain crimes, are or shall become liable to be transported to any of his Majesty's colonies and plantations.

Freamble

WHEREAS the transportation of convicts to his Majesty's colonies and plantations in America, now in use within that part of Great Britain called England, by virtue of the several statutes authorifing such transportation, is found to be attended with various inconveniences, particularly by depriving this kingdom of many subjects whose labour might be useful to the community, and who, by proper care and correction, might be reclaimed from their evil courses a and whereas, until some other more effectual provisions, in the place of transportation to his Majesty's colonies and plantations in America, can be framed, such convicts, being males, might be employed with benefit to the publick in raising sand, soil, and gravel from, and cleanfing the river Thames; or being males unfit for fo severe a labour, or being females, might be kept to hard labour of another kind within England; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, where any male person shall, at any fession of oyer and terminer, or gaol delivery, or at any quarter or other general session of the peace, for any county, transportation riding, division, city, liberty, borough, town, or place, within that part of Great Britain called England, be lawfully convicted of grand or petit larceny, or any other crime for which he shall be liable by law to a sentence of transportation to any of his Majesty's colonies or plantations in America, it shall and may be lawful for the court before whom any fuch person shall be so river Thames, convicted, or any court held for the same place with like authority, if such court shall think fit, in the place of such punishment by transportation, to order and adjudge that such person shall be nor more than punished by being kept to hard labour in the raising sand, soil, and gravel from, and cleanfing the river Thames, or any other fervice for the benefit of the navigation of the faid river, under the management and direction of an overfeer or overfeers, to be appointed by the justices of the peace for the county of Middlefex, at their quarter or other general sessions of the peace, for the same term of years as the transportation for the said offence might by law have been adjudged, or for fuch shorter term as fuch court shall think fit to order and adjudge; provided that the same shall in no case be less than three years, or more than ten years.

any crime punishable by to Ame: ica. may, instead thereof, be kept to hard labour in cleanling the &c. for any term not less than three ten years.

Any male, .

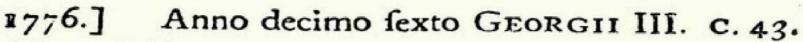
conv cted in

England of

Incare his Mato any male

II. And be it further enacted, That where any male person jettythouldex- shall, at any session of over and terminer, or gaol delivery, or at tend his mercy any quarter or other general session of the peace for any county,

riding;



riding, division, city, liberty, borough, town, or place, within convicted of that part of Great Britain called England, be lawfully convicted any felony for of any robbery, or other felony, for which he shall by law be which he is liliable to suffer death without benefit of clergy, and his Majesty de iti, the shall be graciously pleased to extend the royal mercy to any such judge mercy oroffender, upon condition of being kept to hard labour for the ler the offenterm of ten years, or any other thorter time to be specified, in to be kept the custody of such overseer or overseers as aforesaid; and such bour, for the intention of mercy shall be notified in writing by one of his time specified Majesty's principal secretaries of state to the judge or justice of by the secreoyer and terminer, or gaol delivery, in any county. city, or tary of state. place, before whom any fuch offender shall be convicted or condemned, it shall and may be lawful for every such judge or justice of oyer and terminer, or gaol delivery, to make an order for allowing forthwith to every such offender the benefit of a conditional pardon, in the same manner as if there was a pardon under the great feal; and may and shall adjudge, that every such offender shall be kept to hard labour, in the custody of such overfeer or overfeers as aforefaid, for the time specified in the notification from such secretary of state.

III. And be it further enacted, That when any offender shall When any ofbe ordered to be kept to hard labour, in manner aforesaid, or as fender shall be herein-after is directed, the clerk of the affize, clerk of the bard labour, peace, or other clerk of the court by which such order shall be the clerk of made, shall give to the sheriff, or gaoler, having the custody of the affize, &c. fuch offender, a certificate in writing, under his hand, contain- shall give a ing an account of the christian name, surname, and age of such the sheriff or offender; of his offence, of the court before whom he was con-gaoler, victed, and of the term for which he shall be so ordered to hard labour; and the sheriff, or gaoler, having the custody of such offender, shall, with all convenient speed, after the making of any fuch order, and receiving of fuch certificate, convey fuch offender, or cause him to be conveyed to such place within England; and also deliver such offender, or cause him to be deliver- who shall delied, together with the faid certificate to fuch overfeer or overfeers ver such offenas aforesaid; and the overseer or overseers, to whom any such der and certioffender shall be so delivered, shall give a proper receipt in writ- overseer, &c. ing under his or their hand or hands, which shall be a sufficient discharge to the sheriff, or gaoler, so delivering such offender.

IV. And be it further enacted, That all expences incurred Expences inby any sheriff or gaoler, in the conveyance of any such offen ler curred in conas aforefaid, shall be paid by the county, riding, division, city, veyance of ofliberty, borough, town, or place, for which the court, ordering paid by the fuch punithment by hard labour instead of transportation to county, &c. America, shall be held; and the sheriff or gaoler, shall receive the money due for such expences from the treasurer for such county, riding, division, city, liverty, borough, town, or place, by order of the justices of the peace, at their quarterly, or other general fession, who are hereby required to make such order accordingly.

V. And be it further enacted, That, after delivery of any T 3

Anno decimo sexto Georgii III. c. 43.

Overfeer to power over offenders in a theriff or gaoler.

Offenders to be kept to and gravel from the

Offenders not ed in delivering ballaft to masters of thips, &cc.

Offenders to be fed with bread, coarfe food, and water or fmall beer.

No person to Supply them food, &c. on

Offenders who refuse to work, or otherwise milbehave themselves, ped, ac.

Every offender, at the end of his confinement, furn of money, not less more than 51. together with decent cloatning.

fuch offender, as aforesaid, into the custody to which he shall have the same be adjudged, the overseer or overseers, who shall have the custody of such offender, shall, during the term for which he his cultody as shall be ordered to hard labour, have the same powers over such offender as are incident to the office of a sheriff or gaoler; and in case of any abuse of the custody, or other misbehaviour in discharge of his office, shall be liable to the same punishment as a gaoler; and also shall, during such term as aforesaid, keep fuch offender to hard labour, either in raising sand, soil, and in raising fand gravel from, and cleansing the Thames, or in any other laborious fervice for the benefit of the navigation of the Thames, but at fuch places only, and subject to such directions, limitations, and Thames, &c. restrictions, as the master, wardens, and assistants, of the Trinity House shall from time to time prescribe.

VI. Provided nevertheiefs, That such offenders shall, in no to be employ- case, be employed in delivering ronnage of ballast to masters and commanders of ships, but only in digging, raising, and taking up, the gravel, fand, and foil, from the thelves and fand-banks of the said river of Thames, and in discharging the same upon the shore, above the high-water mark, or in some other laborious

fervice for the benefit of the navigation of the Thames.

VII. And be it further enacted, That every offender who shall be ordered to hard labour, in the custody of such overseer or overfeers as aforefaid, shall, during the time of such service, be fed and sustained with bread, and any coarse or inferior food, and water, or small beer, and also cloathed; and such offender shall not, during the term of such service, be permitted to have any other food, drink, or cloathing, than such as shall be fo allotted to them; and if any person shall supply any such offender, at any time during the term of his faid fervice, with any with anyother drink, food, or cloathing, other than such as thall he so directed penalty of 40s or permitted, he or the fo supplying thali, for every such offence. forfeit any fum not exceeding forty shillings.

VIII. And be it further enacted, That if any offender, who shall be so delivered as aforesaid to be kept to hard labour, shall, during the term of such service, resule to perform any labour authorised by this act, or who shall be guilty of any other misbehaviour or disorderly conduct, it shall be lawful for the overmay be whip- feer or overfeers having the custody of any such offender to order fuch whipping, or other moderate punishment, to be inflicted upon him, as may be inflicted by law on persons committed to

a house of correction for hard labour.

IX. And be it further enacted, That every offender who shall be delivered to be kept to hard labour in manner aforesaid, shall, at the end of the term of such service, and upon being restored shall receive a to his liberty, receive from the overfeer or overfeers, under whom he shall have so served, such sum of money not being less than 40s. nor than forty shillings, nor more than five pounds, together with fuch decent clouthing, as the court into which tuch returns shall be made, as herein-after mentioned, shall appoint: and if any fuch offender, whilst confined to hard labour in manner

aforesaid, shall, by his industry and other good behaviour, shew His Majesty, fuch figns of reformation, as shall induce the said court to re-on the good commend him as an object of his Majesty's mercy, and it shall behaviour of be thereupon signified, by a letter from one of his Majesty's may shorten principal secretaries of state to the overseer or overseers as afore- the term of faid, that his Majesty thinks fit, in consideration of such good their confinebehaviour, to shorten the duration of such offender's term, such ment. offender shall be accordingly set at liberty at the time mentioned in such letter; and shall receive a sum of money from his overfeer or overfeers, together with clothing, in the same manner as if he had served the whole of the term for which he was adjudged to ferve.

X. And be it further enacted, That where any person shall, Any person, at any session of over and terminer, or gaol delivery, or at any convicted of quarter or other general session of the peace for any county, rid-punishable by ing, division, city, liberty, borough, town, or place, within that transportapart of Great Britain called England, be lawfully convicted of tion, may be grand or petty larceny, or any other crime, for which he or the fent to some shall be liable by law to transportation to any of his Majesty's place of concolonies in America, it shall be lawful for the court, in which within the any such offender shall be so convicted, or any court held for county, &c. the same place, and with like authority, if such court shall think and there fit, in the place of such punishment by transportation, to order labour for and adjudge that fuch person shall be sent to some proper place not less than of confinement within the faid county, riding, divition, city, three years, liberty, borough, town, or place, to be appointed for that pur- nor more than pose in manner herein-after mentioned, there to be kept to hard ten years. labour, for such term or number of years as such court shall appoint, not exceeding the term or number of years for which the transportation for the said offence might have been adjudged: provided, That the same shall in no case be less than three

years, or more than ten years.

XI. And be it further enacted, That where any person shall, In case his at any session of over and terminer, or gaol delivery, or at any Majestyshould quarter, or other general session of the peace, for any county, extend his riding, division, city, liberty, borough, town, or place, within person guilty that part of Great Britain called England, be lawfully convicted of any felony of any robbery, or other felony, for which he or she shall by law punishable by be liable to suffer death without benefit of clergy, and his Ma-death, the jesty shall be graciously pleased to extend the royal mercy to any judge may such offender, upon condition of being kept to hard labour at fender to be the place of confinement to be appointed for that purpose in kept to hard manner herein-after mentioned, and such intention of mercy labour, for shall be notified in writing, by one of his Majesty's principal the time specified by the secretaries of state, to the judge or justice of over and terminer, secretary of or general gaol delivery, in any county, city, or place, before state. whom such offender shall be convicted or condemned; it shall and may be lawful for every fuch judge or justice of oyer and terminer, or general gaol delivery, to make an order for allowing forthwith to every fuch offender the benefit of a conditional pardon, in the fame manner as if there was a conditional par-

[1776.

don under the great seal, and may and shall adjudge that every fuch offender shall be kept to hard labour for the time specified in the notification from such secretary of state.

When any of. ordered to hard labour, the clerk of affize, &c. shall give a certificate to the theriff or gaoler, foner, &c. to the keeper of the proper house of correction; who shall give a receipt for the fame.

Expences of be paid by the county, &c.

Justices for &c. in England to prerection for reception of offenders;

and to give directions for their government, and keeting them w hard labour.

XII. And be it further enacted, That when any offender shall fender shall be be ordered to be kept to hard labour in manner aforesaid, the clerk of affize, clerk of the peace, or other clerk of the court by which such order shall be made, shall give to the sheriff or gaoler, having the custody of such offender, a certificate in writing under his hand, containing an account of the christian name, furname, and age of fuch offender, of his or her offence, of the court before whom he or she was convicted, and of the term for which he or she shall be ordered to hard labour; and the sheriff liver fuch pri- or gaoler shall, with all convenient speed after the making of any fuch order, and receiving of fuch certificate, convey fuch offender, or cause him or her to be conveyed, to the proper house of correction, and deliver such offender, or cause him or her to be delivered, together with the faid certificate, into the custody of the master or keeper of such house of correction; and the perfon or persons to whom such offender shall be so delivered, shall give a proper receipt in writing, under his or their hand or hands, which shall be a sufficient discharge to the theriff, gaoler, or other person, so delivering any such offender; and all exconveyance to pences incurred by any sheriff or gaoler, in the conveyance of any fuch offender to the house of correction in manner aforefaid, shall be paid by the county, riding, division, city, liberty, borough, town, or place, for which the court ordering fuch punishment by hard labour shall be held, in the same manner as is herein-before directed in respect to offenders ordered to hard labour in removing fand, foil, and gravel from, and cleanfing the river Thames.

XIII. And be it further enacted, That the justices of the every county, peace for every county, riding, division, city, liberty, borough, town, and place, within that part of Great Britain called England, shall, at the first quarter or other general session of the houses of cor- peace, which shall be held next after the passing of this act, take into consideration the state of their respective houses of correction, in order that proper places within the same, or elsewhere, within each respective county, riding, division, city, liberty, borough, town, and place, may be prepared for the reception of fuch offenders as shall be ordered to hard labour therein, by force of this act, and for the purposes aforesaid; and for keeping fuch offenders to hard labour, and for their employment, regulation, and government, shall give such directions, and make fuch orders, as fuch justices thall think most fit and proper, and they are authorised to give or make by the laws now in force in respect to houses of correction, or by any of them: and the keeper of the place of confinement so appointed and prepared shall, in case of any abuse of the custody, or other misbehaviour in discharge of his office, be liable to the same punishment as a gaoler.

XIV. And be it further enacted, That if any person shall

refcue

#### Anno decimo sexto Georgii III. c. 43. 1776.]

rescue any offender, who by force of this act shall be ordered to Penalty on hard labour, in removing fand, foil, and gravel from, and perfons refcucleansing the river Thames, or in any place of confinement ap- ing offenders pointed by virtue of this act, either in his or her conveyance to hard labour; the place appointed for such hard labour, or whilst such offender under this act shall be in the custody of the person or persons appointed for that purpose; or if any person shall be aiding or affifting in any fuch refcue; every fuch person shall be liable to the like punishment that is inflicted for breach of prison in cases of felony: and if any person, not having the actual custody of or affifting in any fuch offender, shall be aiding and affisting in any escape, or an attempt to shall, by supplying arms, or instruments of disguise or escape, or make an otherwife in any manner be aiding and affifting in the attempt to make any fuch escape, though no such escape shall be made, every such person shall forfeit the sum of twenty pounds; which faid penalty of twenty pounds shall be recoverable in any of his Majesty's courts of record, by any person or persons who shall fue for the same, by bill, plaint, action of debt, information, or otherwise, wherein no essoin, protection, or wager of law, shall be allowed.

XV. And be it further enacted, That if any person who shall Penalty on be ordered to hard labour under this act, either in removing persons or-fand, soil, and gravel from, and cleansing the river Thames, or labour who at any place of confinement appointed by virtue of this act, shall, shall escape at any time during the term for which he or the shall be so or- from confinedered to hard labour, break prison, or escape from the place of ment, &c. his or her confinement, or from the person or persons having the lawful custody of such offender, he or she so breaking prison or escaping, shall on conviction, for the first escape, be punished by doubling the term of the fervice and hard labour in which he or the was at the time of fuch escape; and on conviction for a fecond escape, be adjudged guilty of felony without benefit of

clergy, and fuffer death accordingly.

XVI. And, to the intent that such conviction or convictions may be had with as little trouble and expence as possible, be it further enacted, That every offender or offenders, escaping in manner afore- Method of faid, may and shall be tried before the justices of affize, over trial and and terminer, or gaol delivery, for the county, city, or liberty, conviction of where he, she, or they, shall be apprehended and taken; and making that the clerk of the affize and clerk of the peace, where fuch escape. orders of confinement or hard labour shall respectively be made, and their successors for the time being, shall, at the request of the profecutor, or any other in his Majesty's behalf, certify a transcript briefly and in few words, containing the effect of every indictment and conviction of such man or woman, and of the order made for his or her confinement, or being fent to hard labour respectively, to the justices of assize, over and terminer, and gaol delivery, where such man or woman shall be indicted for any fuch escape from his or her place of confinement or of hard labour respectively, (not taking, for the same, above the fum of two shillings and fixpence;) which certificate being pro-

Clerk of af-

paid by the . treasurer of

the county,

Offenders con-

of this act, to

be kept lepa-

rate, &c.

&cc.



Anno decimo fexto GEORGII III. C. 43. 1776.

duced in court, shall be a sufficient proof that such person or persons have before been convicted and ordered to such place of

confinement or hard labour respectively.

XVII. Provided always, and be it turther enacted by the authority aforesaid, That such clerk of the assize, clerk of the fize. &c. to be peace, or other clerk of the court, and the sheriff or gaoler, shall be paid by the treasurer of the county, riding, division, city, liberty, borough, town, or place, the like fatisfaction as hath been usually paid for the order of transportation of any offender.

XVIII. Provided always, That the offender or offenders fined by virtue which shall be sent to, and shall by virtue of this act, be directed to be confined in, such places to be appointed as aforesaid, shall be kept separate from, and shall not be permitted or suffered to intermix with, any person or persons confined for any offence under the degree of petit larceny, or other crime not making the person or persons having committed the same, by the laws of

this realm, subject to a sentence of transportation.

Overfeers of the places of confinement appointed by this act to make returns, on oath, of the names of the perions, &c. committed to their cultody.

whom, the returns to be made.

XIX. And be it further enacted by the authority aforesaid, That the overseers of the several places of confinement to be appointed by virtue of this act, shall, from time to time, make returns, specifying the names of all and every the person or perfons who shall be committed to their custody, the offences of which they shall have been guilty, the court before which each person was convicted, the sentence of the court, the age, bodily state, and behaviour of every such convict while in custody; and also the names of all and every the person or persons who shall have died under such custody, or shall have escaped from such place of confinement, or shall have been released from thence by order from one of his Majesty's principal secretaries of state; When, and to such returns from the overseers of the convicts to be employed in laborious service for the benefit of the navigation of the Thames, to be made the first day of every term, to his Majesty's court of King's Bench at Westminster; and from the overseers of the other places of confinement to be appointed by virtue of this act, to the justices of assize at each assize, and to the justices of the peace at each quarter or other general sessions of the peace, for the county, city, riding, division, or place, within which fuch place of confinement shall be situate; and that every such return shall be verified on the oath of the person making the same; such oath to be made before the court into which such return shall be delivered.

Penalties of this act how to be recovered and applied.

XX. And be it further enacted, That any pecuniary penalties created by this act, for the recovery of which no mode is hereinbefore prescribed, shall be recoverable before two or more justices of the peace, in the county, riding, division, city, liberty, borough, town, or place, in which the offence shall be committed, on proof of the offence, by the oath or oaths of one or more credible witness or witnesses, or on confession of the offender, and shall belong to the informer or informers prosecuting for the same; and in case of nonpayment, shall-be levied by distress and fale of the offender's goods and chattels, by warrant under



### 1776.] Anno decimo sexto Georgii III. c. 44.

the hands and seals of such justices; and the overplus of the money raised, after deducting the penalty, and the expences of the distress and sale, shall be rendered to the owner; and for want of sufficient distress, the offender shall be sent by such justices to the prison of such county, riding, division, city, borough, town, or place, for fuch term, not exceeding fix

months, as fuch justices shall think most proper.

XXI. And be it further enacted, That if any suit or action Persons profeshall be prosecuted against any person or persons for any thing cuted under done in pursuance of this act, such person or persons may plead this act, may the general issue, and give this act, or the special matter, in evi-neral issue. dence at any trial to be had thereupon, and that the same was done by the authority of this act; and if a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuit, or discontinue his, her, or their action or actions after issue joined; or if on demurrer, or otherwise, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall recover treble costs, and have the like Treble costs. remedy for the same as any defendants have by law in other cases; and though a verdict shall be given to any plaintiff in any fuch action or fuit as aforefaid, fuch plaintiff shall not have costs against the defendant, unless the judge, before whom the trial shall be, shall certify his approbation of the verdict.

XXII. And be it further enacted, That all actions, fuits, and Limitation of profecutions, to be commenced against the person or persons for actions. any thing done in pursuance of this act, shall be laid and tried in the county, or place, where the fact was committed, and shall be commenced within fix months after the fact committed, and

not otherwise.

XXIII. And be it further enacted, That this act shall con- Continuance tinue to be in force for two years, and also to the end of the of this act. then sellion; or if the said term of two years shall not determine during any session, then till the end of the then next ensuing fession of parliament.

CAP. XLIV.

An act for suspending, for a limited time, so much of an act, made in the thirteenth year of his present Majesty's reign, intituled, An act to explain, amend, and reduce into one act of parliament, the general laws now in being for regulating the turnpike roads in that part of Great Britain called England, and for other purposes, as is to subject carriages having the fellies of the wheels thereof of less breadth or gauge than fix inches, to the payment of double tolls; and for vacating contracts for lenfing tolls.

WHEREAS by an act, made in the thirteenth year of his Preamble.

present Majesty's reign, intituled, An act to explain, amend, Act 13 Geo. 3. and reduce into one act of parliament, the general laws now in recited. being for regulating the turnpike roads in that part of Great Britain called England, and for other purposes, it is entitled. That, from and after the twenty-ninth day of September, one thousand fiven



### Anno decimo sexto Georgii III. c. 45.

Seven hundred and seventy-six, a double toll shall be paid for the passage through turnpike-gates, of all carriages having the fellies of the wheels thereof of less breadth or gauge than fix inches from side to side: and whereas great inconveniences would arise if the said provision should take effect on the said twenty-ninth day of September; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of the said act, as enacts that the trustees appointed by virtue or under the authority of any act of parliament made for repairing or amending turnpike roads, or fuch person or persons as are authorised by them, shall and may and are thereby required to demand and take for every waggon, wain, cart, or carriage, having the fellies of the wheels thereof of less breadth or gauge than fix inches from fide to fide, at the least, at the bottom or sole thereof, and for the horses or beasts of draught drawing the same, from and after the twenty-ninth day of September, one thousand seven hundred and seventy-six, double the tolls or duties which are or shall be payable for the same respectively, by any act or acts of parliament made for amending or repairing turnpike roads, before any fuch waggon, wain, cart, or carriage respectively, shall be permitted to pass through any turnpike gate or gates, bar or bars, where tolls shall be payable by virtue of any such acts, shall be, and the same is hereby declared to be, suspended until the twentyninth day of September, one thousand seven hundred and seventy-eight.

Part of the faid recited act fuspended for two years.

Leffees of tolis may be

at the end of

the current

year.

II. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful for such trustees, their contracts and they are hereby required to release all lessees of tolls within their respective jurisdictions from their respective contracts, at the end of the current year, if such leilees shall desire the lame.

#### CAP. XLV.

An act for enabling his Majesty to raise the sum of one million, for the ules and purpoles therein mentioned.

Preamble. Credit of loan granted to his Majelly for 1,000,0001 fury may raise the same by loans or exchequer bills, in like manner as is prescribed, by the malt act of this session, concerning loans, &c. clauses, &c. in the said act relating to loans or exchequer bills, (exception) extended to the loans. &c. to be made in pursuance of this act. Principal and interest, with charges, to be paid out of the next supplies, and if none sufficient be granted before July 5, 1777, then to be paid out of the finking fund; and the monies so issued to be replaced out of the first supplies. The bank impowered to advance on the faid credit of loan, any sums not exceeding 1,000,000 l.



#### CAP. XLVI.

An act to enable the commissioners of his Majesty's treasury to order and allow, out of the money arising by the coinage duty, a certain fum therein mentioned, for the expence of prosecuting offenders against the laws relating to the coin, over and above the sum yearly allowed for that purpose.

THEREAS by an act, made in the fifteenth year of the Preamble. reign of his majesty King George the Second, (intituled, An Act 15 Geo. 3. act for the more effectual preventing the counterfeiting of the recited. current coin of this kingdom, and the uttering or paying of false or counterfeit coin,) it is, among st other things enacted, That the lord high treasurer, or lords commissioners of the treasury for the time being, shall and may order and allow, out of the money arising by the coinage duty, Such sum of money, for defraying the expences of prosecuting offenders against the laws relating to the coin, as he or they shall see fit, provided that the said expences do not, in any one year, exceed the sum of six hundred pounds: and whereas the expences necessarily incurred in prosecuting such offenders, during the course of the years one thousand seven bundred and seventy-two, one thousand seven hundred and seventy-three, and one thousand seven hundred and Seventy-four, amounted to the sum of one thousand one hundred and fifiy-two pounds and eight-pence halfpenny, over and above the fum of fix bundred pounds allowed in each of those years for that service; and as the law now stands, the said sum of one thousand one hundred and fifty-two pounds and eight-pence halfpenny cannot be brought to account; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the commissioners of his 1,1521. 08. 8d. Majesty's treasury now, or for the time being, or any three or halfpenny exmore of them, or the high treasurer for the time being shall and traordinary to may, out of the money arising by the coinage duty; order and defraying exallow fuch further fum, not exceeding one thousand one hun- pences of prodred and fifty-two pounds and eight-pence halfpenny, for the fecutions reexpences of the faid profecutions, during the course of the faid lating to the years one thousand seven hundred and seventy-two, one thou- the years sand seven hundred and seventy-three, and one thousand seven 1772, 1773, hundred and seventy-four, over and above the said six hundred and 1774. pounds limited yearly; the faid recited act, or any other law, statute, provision, or usage, to the contrary notwithstanding.

be allowed for

#### C A P. XLVII.

An act for the further encouragement of the whale fishery carried on from Great Britain and Ireland, and the British dominions in Europe; and for regulating the fees to be taken by the officers of the customs in the island of Newfoundland.

THEREAS by an all, made in the last session of parlia- Preamble. ment, intituled, An act for the encouragement of the Act 15 Geo. 3. fisheries recited.



### Anno decimo sexto Georgii III. C. 47. [1776.

fisheries carried on from Great Britain, Ireland, and the British dominions in Europe, and for fecuring the return of the fishermen, failors, and others employed in the faid fisheries, to the ports thereof, at the end of the fishing season certain bounties were granted to induce his Majesty's European subjects to carry on the whale fishery in the gulph of Saint Lawrence, or on the coust of Labrador, Newfoundland, or in any feas to the fouthward of the Greenland seas, and Davis's Streights: and whereas a valuable whale fishery has been lately discovered in the seas to the southward of the latitude of forty-four degrees north; for carrying on which it is necessary that the ships to be employed therein should be fitted out at a different season of the year from that mentioned in the said in part recited act, and it is just and expedient that the like bounties should be granted to ships so fitted out and employed in such fishery: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the au-Bounties to be thority of the same, That the several bounties hereafter mentioned shall be allowed annually for eleven years, for five vessels which shall be employed in the said fishery in the seas to the fouthward of the latitude of forty-four degrees north, under the limitations and restrictions herein-after expressed; (that is to fay) fuch vessels shall appear by their register to be British built, and owned by his Majesty's subjects residing in Great Britain or Ireland, or the islands of Guernsey, Fersey, or Man, and navigated with three-fourths of his Majesty's subjects of Great Britain or Ireland, or the islands of Guernsey, Jersey, or Man, besides the master, and shall be fitted and cleared out from some port in Great Britain or Ireland, or the islands of Guernsey, Fer-Jey, or Man, after the first day of August and before the first day of November, one thousand seven hundred and seventy-six, and between the first day of August and the first day of November in each succeeding year, and shall take and kill one whale at the least in the said seas, to the southward of the said latitude of forty four degrees north, and shall return, before the first day of August next following in each year, to some port in England, with the oil of such whale or whales so taken as aforesaid; and on the master and mate of such vessel, and two of the mariners belonging to her, making oath before the collector and comptroller of the customs at the port of her arrival, (which oath they are hereby authorized and required to administer) that such oil is the produce of one or more whale or whales taken and killed by the crew then belonging to fuch veffel, mentioning the time when the departed from Great Britain or Ireland, or the islands of Guernsey, Jersey, or Man, and from what port, and the time and place where such whale or whales was or were taken and killed, fuch oil may be landed without payment of any duty whatfoever; and the collector and comptroller of fuch port shall thereupon forthwith transmit such oath to the commissioners of his Majesty's customs at London, any four or more of whom are

allowed, for II years, to veffels fitted out from Great Britain, &c. for the whale fishery in the feas fouthward of lat. 44 degrees porth.



hereby authorifed and required to order the receiver-general of his Majesty's customs, to pay out of any money in his hands, arising by any duties under their management, for the vessel which shall so arrive in each year, with the greatest quantity of oil so taken as aforesaid, five hundred pounds; for the vessel which shall in like manner arrive in the same year, with the next greatest quantity of oil so taken as aforesaid, four hundred pounds; for the vessel which shall in like manner arrive in the same year, with the next greatest quantity of oil so taken as aforesaid, three hundred pounds; for the vessel which shall inlike manner arrive in the fame year, with the next greated quantity of oil so taken as aforesaid, two hundred pounds; and for the vessel which shall in like manner arrive in the same year with the next greatest quantity of oil so taken as aforesaid, one hundred pounds; the faid oil so to be imported by each of the faid vessels, being the produce of one whale at the least; which faid several and respective bounties shall be paid by such receiver-general, within two months after the expiration of each year in which such vessel shall arrive, to the owner or owners of fuch veffels so intitled thereto, or their assigns, duly authorized to demand the fame.

II. Provided always, and it is hereby further enacted by the authority aforesaid, That no bounty shall be allowed or paid for No bounty to any ship which, from and after the said first day of August, one be allowed to thousand seven hundred and seventy-six, shall be fitted out and any vessel em-employed in the whale fishery, in pursuance of this act, unless whale sishery, the whole and entire property of fuch thip or vessel shall belong but on certain to some of his Majesty's subjects residing in that part of his Ma- conditions. jesty's dominions from whence such ship or vessel shall be respectively fitted and cleared out, nor to any ship which shall be so fitted out and employed in the said fishery, in pursuance of this act, or the faid recited act made in the last session of parliament, unless such ship shall have on board, an apprentice, indentured for the space of three years at the least, for every fifty tons burthen of fuch ship, every such apprentice not exceeding the age of eighteen years, nor being under fourteen, at the time he shall be so indentured; any thing in the said recited act, or in this act, or any custom or usage, to the contrary notwithstanding.

III. And whereas by an act of parliament, made in the tenth year Act 10 Geo. 3. of his Majesty's reign, it is, among st other things, enacted, That, for recited. and during the time therein mentioned, (which act hath been since continued, and is now in force) the officers of his Majesty's customs, and naval officers in the British colonies or plantations in America, shall be desmed to be intitled to, and shall and may lawfully demand and receive, such sees as they and their predecessors respectively were and had been generally and usually accustomed to demand, take, and receive, before the twenty ninth day of September, one thousand seven hundred and sixty-sour, and shall have the like remedy for the same, according to the true intent and meaning of an act, made in the fifth year of his said Majesty's reign, therein particularly recited and referred

274

Fees to be

customs in

Newfound-

land.

officers of the

### Anno decimo sexto Georgii III. c.48. [1776.

ferred unto: and whereas, the officers of his Majesty's customs now established in the island of Newfoundland not being able to discover and ascertain what fees were taken and received by their predecessors, before the said twenty-ninth day of September, one thousand seven bundred and fixty-four, doubts have arisen what fees they are intitled to demand and receive, in pursuance of the said in part recited act: for remedy whereof, be it further enacted by the authority aforefaid, That to long as the faid recited act shall be continued and remain in force, the officers of his Majesty's customs in the said island of Newfoundland shall be, and are hereby declared to have been intitled to ask, demand, take, and receive, such fees, for all business done by them in the execution of their duty, as were legally demanded and taken by the like officers of the customs at the port of Hallifax in Nova Scotia, on or before the first day of January, one thousand seven hundred and fixty-eight, provided the faid fees to taken are not contrary to the express directions of any act of parliament made in Great Britain; and the faid officers of the customs shall have the like remedy for the fame, and be liable to the same forfeitures and disabilities for exacting or receiving any greater or other fees than such as are herein-before allowed to be taken, as are prescribed and inflicted in such cases by the said recited acts, or either of them, as fully and effectually, to all intents and purposes, as if the same had been again repeated and enacted in this present act.

### ted and chacted in th

CAP.

XLVIII.

An act for allowing further time for the exportation of, or payment of the duties upon bugles, when warehoused upon importation into this kingdom; to impower the commissioners of the customs to order all bonds relative to that revenue, upon which no prosecutions have been had for the space of sive years, (except bonds for duties, and for the good behaviour of officers in the execution of their duty) to be destroyed; and for repealing the duties upon feather beds imported into this kingdom; and for charging the same with the like duties as are payable upon feathers for beds.

Preamble.
Act 5 Geo. 3.
recited.

WHEREAS by an act, made in the fifth year of the reign of his present Majesty, intituled, An act for more effectually supplying the export trade of this kingdom to Africa with such coarse printed callicoes and other goods of the product or manufacture of the East Indies, or other places beyond the Cape of Good Hope, as are prohibited to be worn and used in Great Britain for encouraging the importation of bugles into this kingdom, for the better supply of the export trade thereof, and for discontinuing the bounty payable in Great Britain; and all bounties and allowances in Ireland upon the exportation of corn, grain, malt, meal, and flour, from thence to the Isle of Man; it is (amongst other things) enacted and provided, That if such bugles as shall be imported into this kingdom, and lodged and secured in such warehouse belonging to his Majesty, his heirs, and successors, as in and by the said recited act is prescribed, shall not be either exported, or the



#### 1776.] Anno decimo fexto GEORGII III. C. 48.

full duties paid for the same, within five years from the importation thereof, but shall then continue and be still remaining in the Said warebouses, in such case it shall and may be lawful for the commissioners of the customs for the time being, or any three or more of them, to cause the said bugles, so remaining, to be publickly sold in manner and for the purposes therein prescribed; and whereas it has been usual to export fuch bugles from this kingdom to Africa in exchange for negroes, to be carried from thence to the British colonies in America, which trade being much interrupted by the disturbances and rebeliion in several of those colonies, great quantities of such bugles do now remain warehoused at several ports in this kingdom and cannot be disposed of without great loss to the proprietors thereof; and it is therefore expedient to enlarge the time limited by the faid recited att for the exportation of such bugles, or paying the duty for the same: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, for such of the said bugles as have been imported The aforesaid into this kingdom before the first day of May, one thousand term of 5 feven hundred and seventy-six, and lodged and secured in any years extendwarehouse belonging to his Majesty, as in and by the said recited in relation to act is prescribed, and still remain unfold, the said term of five bugles imyears shall be extended and enlarged to the term of ten years, ported before from the importation thereof, any thing in the said recited act, and wareor any other law, custom, or usage, to the contrary in anywise housed, &c. notwithstanding. II. And whereas by an act of parliament, made in the eighth year Act 8 Annæ

continuing feveral impositions, additional impositions, and duties, upon goods imported, to raife money by way of loan, for the service of the year one thousand seven hundred and ten; and for taking off the oversea-duty on coals exported in British bottoms; and for better preventing frauds in drawbacks upon certificate goods; and for ascertaining the duties of corans imported in Venetian ships; and to give further time to foreign merchants for exportation of certain foreign goods imported; and to limit a time for profecutions upon certain bonds given by merchants; and for continuing certain fees of the officers of the customs; and to prevent embezzlements by such officers; and for appropriating the monies granted to her Majesty; and for replacing monies paid or to be paid for making good any deficiencies on the annuity acts; and for encouragement to raife naval stores in her Majesty's plantations; and to give further time for registering debentures as is therein mentioned; it is

(among ft other things) enacted, That the bonds commonly called Plantation-bonds, and the securities entered into, in pursuance of an act, made in the eleventh year of the reign of his late majesty King William the Third, intituled, An act for the more effectual employing the poor, by the encouraging the manufactures of this kingdom, upon the expertation of wrought filks, and other commodi-

Vol. XXXI.

of the reign of her late majesty Queen Anne, intituled, An act for recited.

1165

276

1776, all

relating to

the revenue

on which no profecution

hath been or

fhali be com-

in five years



### Anno decimo sexto Georgii III. c.48. [1776.

ties in the said act mentioned; in sase there shall be no prosecution for Some breach or nonperformance of the respective conditions thereof

within three years after the dates thereof, or if upon such prosecution judgement be not obtained for her Mujesty within the space of two years after the prosecution is commenced, then such security shall be void, and all such securities so made void by that act shall be delivered up, by the respective officers having the same in their keeping, to be cancelled, without fee or reward; and if any officer of his Majesty's revenue having the custody of any bonds so required to be delivered up to be cancelled, . shall, upon reasonable demand, refuse or neglett to deliver up such bonds according to the purport and meaning of that act, then the officer so offending shall be liable to answer to the party grieved all his damages, together with treble costs of suit: and whereas there are now remaining, in the possession of the officers at several eustom-houses in this kingdom, great number of such bonds and securities, as well as other bonds and securities taken for the due exportation of other goods, and for the due performance of ships voyages, in purfuance of divers other acts of parliament, which have lain for many years without any prosecution having been commenced thereon; no proof being discovered that the conditions of such bonds have not been duly performed; though no certificate has been produced in discharge thereof, nor any application made to the officers for delivery thereof by the parties concerned therein, without which, Sufficient provision is not made for cancelling or destroying such bonds, though they are useless and of no effect, and are an unnecessary incumbrance to the offices where they are lodged, and occasion great perplexity and inconvenience to the several officers in the execution of their duty; for remedy whereof, and to prevent the discouragements which merchants do and may lie under by the said bonds lying out against them, by reason that the goods may have been vended in foreign parts, from whence no certificate can be produced conformable to the several statutes requiring the same, although the conditions of the said bonds are or shall have been performed; be it therefore further enacted by the authority afore-After July s, said, That, from and after the fifth day of July, one thousand feven hundred and feventy-fix, all bonds, which have been or by any officer, shall hereafter be taken by any officer, relating to the revenue and business of his Majesty's customs, upon which no prosecution hath been or shall be commenced, for the breach or nonperformance of any covenant or condition therein contained, of the cultoms, within the space of five years from the date of such bond or security (except bonds for duties, or other money due to the crown, and for the good behaviour of the officers in the execution of their duty) shall be void; and it shall and may be lawmenced withful for the commissioners of his Majesty's customs in England from the date and Scotland respectively, or any three or more of them, to order and direct the several officers under their management, having the custody of such bonds, to cancel and destroy the same in fuch manner as they shall think proper, any law, custom, or usage, to the centrary notwithstanding.

thereof, (Exception) thali be void.

. III. And whereas by the book of rates, annexed to the all of tonnage and poundage, made in the twelfth year of the reign of King Charles



#### Anno decimo sexto Georgii III. C. 49. 1776.]

the Second, feather beds, old or new, the piece, are rated at two pounds, thirteen stillings, and four-pence, and feathers for beds the one one bundred and twelve pounds are rated at fix pounds: and whereas, in order to evade the payment of the duties due and payable by law, according to the before mentioned rate upon feathers for beds imported from foreign parts, attempts have been made fraudulently to bring into this kingdom large quantities of such feathers packed up in old ticking, coarse cloth, or other old packages, and to enter the same under the denomination of feather beds, to the great prejudice of the publick revenue, and to the detriment of the fair trader: for remedy whereof, be it further enacted by the authority aforesaid, That, from and The rate of after the twenty-fourth day of June, one thousand seven hundred feather beds, and seventy-six, the before mentioned rate of two pounds, thir- according to teen shillings, and four-pence, for feather beds old or new, the rates 12 Car. piece, shall be, and the same is hereby repealed, and the several 2. repealed; duties payable upon the importation of such feather beds, according to that rate, shall cease, determine, and be no longer paid; and, in lieu and instead thereof, all feather beds, and all and, in lieu feathers which have been heretofore entered under that denomi- thereof, all nation, dressed or undressed, new or old, which shall be import- feather beds, ed into this kingdom in any fort of package whatfoever, shall heretofore enbe liable to and pay the several subsidies, additional duties, and tered under all other imposts and duties whatsoever, to which feathers for that denomibeds are and shall be liable, according to the rate before men- nation, which tioned of fix pounds for every one hundred and twelve pounds ported into weight of such feathers; which said subsidies, imposts, and this kingdom, duties, shall be raised, levied, and collected, recovered, paid, and shall be liable applied, in such manner and form, and by such ways and means, to the same and under the like penalties and forieitures, and with fuch dif- thers for beds, counts, allowances, and drawbacks, as the former duties upon according to feathers for beds were raised, levied, collected, paid, and applied, the rate beand were subject and liable to; and all the powers, penalties, fore mention-provisions, articles, and clauses, contained in the several acts of ed. parliament which granted or continued the same respectively, shall continue in full force and effect, and shall be applied, practifed, and executed, for the raifing, levying, collecting, recovering, paying, and applying, the faid subsidies, imposts, and other duties, according to the true intent and meaning of this present act, as fully and effectually to all intents and purposes, as if the faid clauses, powers, and provisions, had been repeated. and enacted in the body of this prefent act.

### CAP. XLIX.

An act for granting to his Majesty a certain sum of money out of the finking fund, and for applying certain monies therein mentioned for the service of the year one thousand seven hundred and seventy-fix; and for further appropriating the supplies granted in this session of parliament; for giving further relief to the widows of commission and warrant officers of the royal navy; and for making torth duplicates of exchequer bills, lottery tickets, certificates, receipts, annuity orders, and other orders, loft, burnt, or destroyed.



### Anno decimo sexto Georgii III. c. 49. [1776.

Preamble. Not exceeding 1,837,4281. 38. 10d. granted out of the fund, for the service of the current year; to be issued by the treasury accordingly. Treasury impowered to raise the said sum, or any part thereof, by loans or exchequer bills, on the credit of the finking fund; All perfons who shall lend any money upon the credit of this act to have a tally of loan, with orders for repayment of the money, with interest. Orders to be registered in course. No undue preserence to be given in payment. No fee to be taken, on forfeiture of treble damages, with full cotts. nalty of undue preference in point of registery or payment. Auditor, &c. neglecting his duty, liable for damages, &c. to be recovered at Westminster. No undue preserence in the registering, where orders are brought the same day; nor if subsequent orders are paid before others not brought in course, so as money be reserved for the preceding orders. Power of affignment, and method of transferring of orders. If it shall be judged more adviseable, the treasury may raise the said sum by exchequer bills inftead of loans; and the bills in such case to be made as those prescribed by the malt act of this fession. All advantages and penalties in the malt act of this session, relating to loans or exchequer bills thereby authorised. to be made forth, extended to this act. The faid exchequer bills, interest, and charges, are to be paid out of the finking fund. Bank authorised to lend to his Majesty the sum of 1,837,4281. 35. 10d. notwithstanding act 5 & 6 Gul. & Mariæ. The fum of 980,441 l. 1 s. 1 d. 2 q. furplus of the finking fund in the exchequer on April 5, 1776; and fuch monies as shall be paid into the exchequer between April 5, 1776, and April 5, 1777, of the produce of the duties on Gum Senega and Gum Arabic; 11,444 l. 4s. 3d. 1q. remaining in the exchequer of the duties on rice exported, and apples imported, cambricks and fugars, granted by 6 Geo. 3. and monies paid by counties who have not raised militia; and of the imprest monies remaining for the disposition of parliament. 2,9051. 8s. 2d. for supporting the necessary expences of forces in America, Nova Scotia, Newfoundland, and the ceded islands, out of the monies to be paid into the exchequer on April 5, 1776. 15,0721. 125. towards defraying the charge of levy money for the year 1776, out of the favings of grants in last fessionof parliament. 7,9381. 15 s. towards defraying the charge of augmenting his Majesty's forces, out of the savings of a grant in the last session of par-liament. Appropriation of the supplies. The monies arising by the malt tax, land tax, loans, lottery, vote of credit, and 980,4411. 1s. 1d. 2q. remaining in the exchequer on April 5, 1776, for the disposition of parliament; and such monies as shall be paid into the exchequer between April 5, 1776, and April 5, 1777, of the produce of the duties on Gum Senega and Gum Arabic; and 11,444 l. 4s. 3d. 1 q. of the monies on rice exported, and duties on apples imported, and on fugars and cambricks, by act 6 Geo. 3. the monies paid by counties who have not raised militia; and the imprest monies remaining for the disposition of parliament and 3,837,4281. 3s. rod. by this act granted, out of the excesses, &c. compoling the finking fund; together with the money arising from the sale of French prizes taken before the declaration of war; and also such sums of money as his Majesty shall direct to be applied to the public service, which shall arise by the sale of the ceded islands in the West Indies. Not exceeding 2,222,0551. 19 s. 6d. to be issued out of the supplies towards maval services. Not exceeding 50001, to the royal hospital for seamen at Greenwich, &c. 1,000,000 l. towards paying off and discharging the debt of the navy. 249,6551. 18s. 6d. for the charges of the office of ordnance; 223,1711. 115. 11d. for the charges of the office of ordnance not provided for in 1775. Not exceeding 3,474,450 l. 48. 4d. 3-8ths. towards the land forces; of which 659,2001. 2 s. 10 d. 7-8ths of a penny, for defraying the charges of 20,752 effective men, &c. and 3213 invalids for guards, &c. in Great Britain, &c. 720,5271. 38. 5d. 3q. for forces and garrisons in Africa; 42,530 l. 198. 4 d. to make good the difference of pay between the British and Irish establishment of troops serving in America; 11,5051. 7 s. 3 d. for general and general staff officers in Great Britain; 89,063 l. 145. for levy money; 26,783L 158. 2d. halfpenny, for five Hanoverian battalions at Gibraltar and Minorca, in the year 1775; not exceeding 46,8381. zs. 9 d. for five Hanoverian battalions at Gibraltar, &c. in 1776; 47,400 l.



### 1776.] Anno decimo sexto Georgii III. c. 50.

xxs. for a regiment of highlanders; 80,984 l. 13 s. 2 d. for several augmentations to his Majesty's forces, &c. 381,8871. 48. 5 d. halfpenny, for 12,394 Hessians, &c. 121,4751. 128. 1d. for 4,300 Brunswickers, &c. 19,0061. 198. 3d. 3q. for a regiment of foot of Hanau, &c. not exceeding 16,4831. 1 s. od. 3 q. for a regiment of Waldeck, &c. 13,973 l. 16 s. for the artillery of the landgrave of Helle Cassel; 4,244 l. 12 s. 6 d. for levy money for the said artillery; 3,3831. 6s. 8d. for the artillery of Hanau; 6081. for pensions to officers widows, &c. not exceeding 97,575 l. 128. to the reduced officers of the land forces and marines; 8501. 19 s. 6 d. to the two troops of horie guards reduced, &c. 107,512 l. 10s. to the out pensioners of Chelsea Hospital; 137,4481. 7 s. to fix regiments of foot from Ireland, &c. 845,1651. 14s. 8d. 1q. towards extraordinary expences of the land forces, &c. not provided for; 1,250,000 l. for discharging exchequer bills of last session; Not exceeding 7,4061. 3 d. halfpenny, to make good to his Majesty the like fum iffued in purtuance of the addresses of the house of commons; 3,0861. for the civil establishment of Georgia; 4,9501. for the civil establishment of East Florida; 4,9501. for the civil establishment of West Florida; Not exceeding 4,2461. 10s. 5d. for supporting the civil establishment of Nova Scotia; 1,885 l. 4s. for defraying expences attending surveys in North America; 13,0001. for repairing and maintaining the forts in Africa; 5,550 l. for supporting the civil establishment of Senegambia; 6,996 l. 105. rod. on account of the expence of new roads, &c. in the highlands of Scotland, 2000 l. to the commissioners of Westminster bridge; 92,421 l. 14s. 11 d. 1q. to make good the deficiency of the fum granted by parliament in 1774, for recoining the deficient gold coin. Not exceeding 44,0961. 5 s. rod. halfpenny, to the finking fund, to make good the deficiency on July 5, 1775; 37,348 l. 12 s. 7 d. to make good the deficiency of grants for the service of 1775. The said aids to be applied only to the uses before mentioned. Rules to be observed in the application of the halfpay. By act 15 Geo. 3. a fum not exceeding 105,3261. 16 s. 8d. was appropriated to be paid to reduced officers. Overplus-monies, above fatisfying faid officers, to be disposed of to officers who were maimed, &c. in the late wars, or to officers widows and children, as his Majetty shall direct. Recital of a clause in an act 6 Geo. 2. and 24 Geo. 2. After June 24, 1776, the allowance of the wages, &c. of the one other seamen in every 100, shall be continued till the number employed in the royal navy amounts to 30,000. Barons of the exchequer, on proof made before them of exchequer bills, lottery tickets, &c. being loft or destroyed, shall grant a certificate of the same; on producing whereof to the proper officers, and on giving them sufficient security, they are to make out duplicates of said bills, &c. and to discharge the same.

### CAP. L.

An act to indemnify such persons as have omitted to qualify themselves for offices and employments; and to indemnify justices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for those purposes; and to indemnify members and officers, in citics, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or missaid; and for allowing them time to provide admissions duly stamped; and to give surther time to such persons as have omitted to make and file affidivits of the execution of indentures of clerks to attornics and solicitors.

WHEREAS divers persons, who, on account of their offices, Preamble. places, employments, or prosessions, or any other cause or occasion, ought to have taken and subscribed the oaths, or the assurance respectively, appointed to be by such persons taken and subscribed, in and by an act made in the first year of the reign of his late majesty King

U 2



Persons who ed by act

have omitted to take the oaths appoint-1 Geo. 1.

Act 13 Car. 2.

Act 18 Geo. 2. all, made in the eighteenth year of the reign of his late majesty King

and act 6 Geo.

George the First, of glorious memory, (intituled, An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants; and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors;) or to have qualified themselves according to an act, made in the thirteenth year of the reign of King Charles the Second, (intituled, An act for the well-governing and regulating corporations;) or to have qua-Act 25 Car. 2. lifted themselves according to another act, made in the twenty-fifth year of the reign of King Charles the Second, (intituled, An act for preventing the dangers which may happen from popish recusants, by receiving the facrament of the Lord's supper, according to the

declaration against transubstantiation therein mentioned;) or ac-Act 30 Car. 2. carding to another act, made in the thirtieth year of the reign of King Charles the Second, (intituled, An act for the more effectual preferving the King's person and government, by disabling papists from fitting in either house of parliament;) or according to another A& 8 Geo. s. all, made in the eighth year of the reign of his late majesty King

usage of the church of England, and making and subscribing the

George the First, (intituled, An act for granting the people called Quakers such forms of affirmation or declaration as may remove the difficulties which many of them lie under;) or according to another act, made in the ninth year of the reign of his late majefly At 9 Geo. 1. King George the Second, (intituled, An act for indemnifying perfons who have omitted to qualify themselves for offices within the time limited by law, and for allowing further time for that purpose; and for amending so much of an act, passed in the second year of the reign of his present Majesty, as requires perfons to qualify themselves for offices before the end of the next term, or quarter sessions; and also for enlarging the time limited by law for making and subscribing the declaration against

transubstantiation; and for allowing a further time for inrolment of deeds and wills made by papifts; and for relief of protestant purchasers, devisees, and lessees;) or according to another

George the Second, (intituled, An act to amend and render more effectual an act, passed in the fifth year of his present Majesty's reign, intituled, An all for the further qualification of justices of the peace;) or according to another act, made in the fixth year of the reign of his present Majesty, (intituled, An act for altering the oath of abjuration, and the affurance; and for amending fo much of an act, made in the seventh year of her late majesty Queen Anne, intituled, An att for the improvement of the union of the two kingdoms, as, after the time therein limited, requires the delivery of certain lifts and copies therein mentioned to persons indicted of high treason, or misprision of treason;) have, through ignorance of the law, absence, or some unavoidable accident, omitted to take and Subscribe the field oaths and affurance, and make and subscribe the declaration required by law, or otherwise to qualify themselves as aforefaid, within such time, and in such manner, as in and by the faid acts respectively, or by any other act of parliament in that behalf made, is

required,



#### 1776.] Anno decimo fexto GEORGII III. C. 50.

required, whereby they have incurred, or may be in danger of incurring, divers penalties and disabilities: for quieting the minds of his Majesty's subjects, and for preventing any inconveniences that might otherwise happen by means of such omissions; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all not qualifying and every person or persons, who, at or before the passing of this passing of this act, hath or shall have omitted to take and subscribe the said oaths act, and declarations, or to receive the facrament of the Lord's supper, or otherwise to qualify him, her, or themselves, within such time, and in such manner, as in and by the said acts, or any of them, or by any other act of parliament in that behalf made, is required; and who, after accepting any fuch office, place, or employment, or undertaking any profession or thing on account of which fuch qualifications ought to have been had, and is required, before the passing of this act, hath or have taken and subscribed the said oaths, or made the declarations required by law, and also received the sacrament of the Lord's supper, according to the usage of the church of England, or who, on or or before Dec. before the twenty-fifth day of December, one thousand seven hun- 25, 1777, dred and seventy-seven, shall take and subscribe the said oaths. declarations, and affurance respectively, in such cases wherein by law the said oaths, declarations, and assurance, ought to have been taken or subscribed, in such manner and form, and at or in fuch place or places, as are appointed in and by the faid act, made in the first year of the reign of his said late majesty King George the First, or by any other act or acts of parliament in that behalf made and provided, and also hath or have received, or shall, on or before the said twenty-fifth day of December, one thousand seven hundred and seventy-seven, receive the facrament of the Lord's supper, according to the usage of the church of England, in such cases wherein the said sacrament ought to have been received, and hath or have made and subscribed, or shall, on or before the said twenty-fifth day of December, one thousand seven hundred and seventy-seven, make and subscribe the faid declaration against transubstantiation, and also hath or have made and subscribed, or shall, on or before the said twentyfifth day of December, one thousand seven hundred and seventyfeven, make and subscribe the said declaration, in the said statute made in the thirtieth year of King Charles the Second, in such cases wherein the said declarations ought to have been made and subscribed, and take and subscribe the oath directed by the said act made in the eighteenth year of the reign of his late majesty King George the Second, in such cases wherein the said oath ought to have been taken and subscribed, in such manner as by the said act is directed, shall be, and are hereby indemnified, indemnified. freed, and discharged, from and against all penalties, forfeitures, against for-incapacities, and disabilities incurred, or to be incurred, for or by feitures. reason of any neglect or omission previous to the passing of this act, of taking or subscribing the said oaths or assurance, or re-



### Anno decimo sexto Georgii III. c. 50. [1776.

ceiving the facrament, or making or subscribing the said declarations, or taking or subscribing the said oath, according to the above-mentioned acts, or any of them, or any other act or acts; and fuch person and persons is and are, and shall be, fully and actually recapacitated and restored to the same state and condition as he, she, or they, were in before such neglect or omission, and shall be deemed and adjudged to have duly qualified him, her, or themselves, according to the above-mentioned acts, and every of them: and that all elections or, and acts done, or to be done, by any fuch perion or persons, or by authority derived from him, her, or them, are and shall be of the same force and validity as the same, or any of them, would have been if such person or persons respectively had taken the said oath or assurance, and received the facrament of the Lord's supper, and made and subferibed the said declarations, and taken and subscribed the said oath, according to the direction of the said acts, and every or any of them; and that the qualification of such person or persons, qualifying themselves in manner, and within the time appointed by this act, shall be, to all intents and purposes, as effectual as if fuch person or persons had respectively taken the said oaths and assurance, and received the sacrament, and made and subscribed the faid declaration, and taken and subscribed the faid oath, within the time, and in the manner appointed by the several acts before-mentioned.

Not to indemnify any perfon for any penalty incured by neglecting to qualify hunfelf.

Persons producing appointments and admissions before Dec. 25, 1777,

II. Provided always, That this act, or any thing herein contained, shall not extend, or be construed to extend, to indemnify any person against whom final judgement shall have been given, in any action of debt, bill, plaint, or information, in any of his Majesty's courts of record, for any penalty incurred by having neglected to qualify himself within the time limited by law.

III. And whereas the appointments of divers clerks of the peace, town clerks, and other publick officers, and the admissions of divers members, and efficers of cities, corporations, and borough towns, or the entries of such admissions in the court books, rolls, or records, of such cities, corporations, and borough towns, which by several acts of parliament are directed and required to be stamped, may not have been provided, or the same not stamped, or may have been lost or mistaid; be it further enacted by the authority aforesaid, That, for the relief of fuch persons whose appointments and admissions, or the entries of whose admissions as aforesaid may not have been provided, or not duly stamped, or where the same have been lost or missaid, it shall and may be lawful to and for such perfons, on or before the twenty-fifth day of December, one thoufand seven hundred and seventy-seven, to provide, or cause to be provided, appointments and admissions, or entries of admisfions, as aforefaid, duly stamped: or, in case where such appointments, admillions, or entries of admillions, as aforefaid, have been made or provided, but have not been duly stamped, to preduce fuch appointments, admiflions, or entries of admitfions, as aforefaid, to the commissioners appointed to inspect and manage the revenues of the flamp-duties, to be duly flamped;

which



#### Anno decimo sexto Georgii III. c. 50. 1776.]

which such commissioners are hereby authorised, impowered, and required, to duly stamp, on payment of the duties first payable, or to have been paid on such appointments, admissions, or entries of admissions, as aforesaid, without any fine or forfeiture shall be conthereon; and such persons so providing appointments, admis-firmed, and sions, or entries of admissions, as aforesaid, duly stamped, or qualified to procuring the same to be duly stamped, in manner aforesaid, are act as clerk, and shall be hereby confirmed and qualified to act as clerk of officer, or the peace, town clerk, or other publick officer, or member or corporations, members, officer or officers, of fuch cities, corporations, and &c. borough towns respectively, to all intents and purposes, and shall may enjoy all and may hold and enjoy, and execute such offices, or any other offices into office or offices into which he or they hath or have been elected, have been notwithstanding his or their omission, or the omission of any of elected; their predecessors, in such cities, corporations, or borough towns, and shall be as aforesaid; and shall be indemnified and discharged of and from all incapacities, disabilities, forfeitures, penalties, and da- nalties and mages, by reason of any such omission; and none of his or their damages inacts shall be questioned or avoided by reason of the same.

IV. Provided always, That this act, or any thing herein con- fon of omittained, shall not extend, or be construed to extend, to restore or intitle any person or persons to any office or employment, bene- Not to extend fice, matter, or thing whatfoever, already actually avoided by to restore perjudgement of any of his Majesty's courts of record, or already sons to any legally filled up and enjoyed by any other person; but that such by judgement. office, employment, benefice, matter, or thing, so avoided, or legally filled up and enjoyed, shall be and remain in and to the person or persons who is or are now, or shall, at the passing of this act, be legally intitled to the same, as if this act had never

been made.

V. And whereas many persons have omitted to cause affidavits to be made, and afterwards to be filed in the proper office, of the astual execution of several contracts in writing entered into by them to serve as clerks to attornies or Solicitors, within the time in which the Same ought to have been done, and many infants, and others. may thereby incur certain disabilities; for preventing thereof, and relieving such persons, be it enacted by the authority aforesaid, That every per- Persons who fon who, at the passing of this act, shall have neglected or omitted shall cause afto cause any such affidavit or affidavits as aforesaid to be made fidavits to be and filed, and who, on or before the first day of Michaelmas Michaelmas term, one thousand seven hundred and seventy-six, shall cause term, 1776, one or more affidavit or affidavits to be made, and afterwards to be filed, in fuch manner as the same ought to have been made and filed in due time, shall be, and is hereby indemnified, freed, are indemniand discharged, from and against all penalties, forseitures, inca-fied, and dispacities, and disabilities, in or by any act or acts of parliament, penalties. mentioned and incurred, or to be incurred, for or by reason of fuch neglect or omission; and every such affidavit and affidavits so to be made, and which shall be duly filed on or before the said first day of Michaelmas term, one thousand seven hundred and seventy-six, shall be as effectual, to all intents and purposes, as

which they indemnified from all pecurred by rea-



Anno decimo fexto GEORGII III. C. 51. [1776.

if the same had been made and filed within the respective times the same ought, by the laws now in being for that purpose, to

have been made and filed.

Persons profecuted and to be indemnified, may plead the general issue.

VI. And be it further enacted, That in case any action, suit, bill of indictment, or information, shall, from and after the pashereby meant fing of this act, be brought, carried on, or profecuted, against any person or persons hereby meant or intended to be indemnified, recapacitated, or restored, for or on account of any forfeiture, penalty, incapacity, or disability whatsoever incurred, or to be incurred, by any such neglect or omission, such person or perfons may plead the general iffue, and, upon their defence, give this act, and the special matter, in evidence, upon any trial to be had thereupon.

#### CAP. LI.

An all for granting further time for allowing the drawback upon the expertation of muslins and callicoes, imported by the East India company in the years one thousand seven hundred and seventy-three, and one thousand seven hundred and seventy-four; for allowing further time to the said company to expose to sule such bohea and singlo teas and coffee as remained unfold on the fifth day of April, one thou-Sand Seven hundred and seventy-fix; and also such bohea teas as shall be imported on or before a certain time; and for allowing the drawbacks on the exportation of such teas and coffee; and for granting further time for allowing the drawback on the exportation of coffee imported in the ship Shrewsbury, in the year one thousand seven bundred and seventy-three.

Preamble.

THEREAS there are great quantities of muslins and white V callicoes remaining in this kingdom, which were imported by the united company of merchants of England trading to the East Indies, in the years one thousand seven hundred and seventy-three, and one thousand seven hundred and seventy-four, and which, by reason of the interruption given to trade by the rebellion and disturbances subsisting in several of the British colonies in North America, the proprietors of such goods may not be able to export within the term of three years from the importation thereof, being the time limited by law to intitle them to receive the drawback of the duties thereon, and it is reasonable and necessary that some further time should be granted for the exportation of such goods: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majefty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That for all mullins and white callicoes which were imported by the faid united company into this kingdom, in the year one thousand feven hundred and feventy-three, and which shall be exported from hence before the thirtieth day of December, one tho fand feven hundred and seventy-eight; and for all muslins and white callicoes imported into this kingdom by the faid united company in the year one thousand seven hundred and seventy-four, which

The term of three vears extended to five, in relation to the exporting of mulling and white calli. coes, &c.



#### 1776.] Anno decimo fexto Georgii III. c. 51.

shall be exported from hence before the thirtieth day of December, one thousand seven hundred and seventy-nine; whether fuch muslins or callicoes shall have been printed, painted, stained, or dyed, in this kingdom or not, the exporter or exporters of fuch goods shall be allowed and paid the same drawbacks, under the like rules, regulations, securities, penalties, and forseitures, as such exporter or exporters would be intitled and liable to, in case such goods had been exported within the term of three years from the importation thereof, any law, custom, or usage,

to the contrary notwithstanding.

II. And whereas, by several acts of parliament now in force for granting, continuing, and better securing the duties payable ad valorem upon unrated East India goods, and for ofcertaining the values thereof, according to which such duties shall be paid, the importer or importers thereof are to give fecurity by bond for payment of the faid duties according to the real values of the faid goods, to be ascertained according to the respective acts of parliament in that behalf made, (except coffee,) as soon as the said goods shall be sold, and also for exposing the faid goods to fale openly and fairly, by way of auction, or by inch of candle, within the city of London, within the term of three years after the importation thereof: and whereas by an act, made in the four- Recital of an teenth year of the reign of his present Majesty, intituled, An act for act 14 Geo. 3. granting further time to the united company of merchants of England trading to the East Indies, to expose to sale the singlo and bohea teas remaining in their warehouses unfold on the fifth day of April, one thousand seven hundred and seventy-four, and for allowing the drawbacks on the exportation of such teas, it was (amongst other things) enacted, That for such of the said bohea teas as were then imported, and which remained unfold on the faid fifth day of April, one thousand seven hundred and seventy-four, the said united company might, at any time within the space of four years, to be computed from the importation thereof, expose such teas to sale; and that after such sale or sales there should be allowed the like discounts, on payment of the duties on such teas, as if the same had been exposed to sale within the term of three years before mentioned, or any other time theretofore limited by law: and whereas a great part of the said bohea tea, imported by the said united company, and remaining in their warehouses unsold on the said fifth day of April, one thousand seven bundred and seventy-four, yet remains unfold; and over and besides such bohea tea, the said company have since that time imported a further considerable quantity of bohea tea, which remained in their warehouses unfold on the fifth day of April, one thousand seven hundred and seventy-fix, and they expect to import and receive, before the thirty-first day of December, one thousand seven hundred and seventy-fix, a further considerable quantity of bohea tea in sundry ships now coming home from China; and the faid company had also in their warehouses unfold, on the faid fifth day of April, one thousand seven hundred and Seventy-fix, a great quantity of finglo teas and coffee, and by reason of the interruption given to trade by the disturbances in several of the British colonies in America, the said quantity of bohea tea, imported before the said fifth day of April, one thousand seven hundred and seventy-

## Anno decimo fexto GEORGII III. C. 51. - [1776.

venty-four, and remaining unfold on the fifth day of April, one thou-Sand seven hundred and seventy-six, cannot be expected to be sold by the said company within the term of four years allowed for that purpose by the faid all of the fourteenth year of the reign of his present Majesty; nor can it be expected that the faid other bobea teas herein-before mentioned, the said single teas, and coffee, should be sold by the said company within the term of three years, to be computed from the respective times of the importation of such teas and coffee, and it is necessary that Some further time should be granted to the said company to put their Said teas and coffee up to sale; be it therefore enacted by the authority aforesaid, That as well for such of the said bohea teas, finglo teas, and coffee, as remained unfold on the fifth day of April, one thousand seven hundred and seventy-six, as also for the fale of all such bohea teas as hereafter shall be imported at any time or times on or before the thirty-first day of December, one thousand years after the seven hundred and seventy-fix, the said united company may, at any time within the space of five years, to be computed from the importation thereof, expose such respective teas and coffee to fale, and after fuch fale or fales there shall be allowed the like discounts, on payments of the respective duties on such teas and coffee, as if the same had been exposed to sale within the term of three years, or any other time heretofore limited by law, any law, usage, or custom, to the contrary notwithstanding.

III. And be it further enacted by the authority aforesaid, That, for and during the faid term of five years, to be computed as aforesaid, there shall be drawn back and allowed for all the faid teas and coffee, which shall be exported from this kingdom as merchandize to Ireland, or any of the British colonies or plantations in America, to the exporter or exporters thereof, such and to Ireland and the same drawbacks or allowances, and under such rules, regulations, securities, penalties, and forfeitures, as such exporter or exporters would have been intitled to in case such teas and coffee had been exported within the term of three years from the respective times of the importation thereof; any law, usage, or custom, to the contrary notwithstanding.

IV: And whereas, by reason of the said interruption to trade, a great part of the coffee imported by the said united company in the ship Shrewsbury, in the year one thousand seven hundred and seventy-three, and which bath been fold by the faid united company, yet remains uncleared in their warehouses, belonging to the buyers thereof, and the same cannot be exported within three years after the importation thereof, be Thesametime it therefore further enacted by the authority aforesaid, That if the exporting cof. faid coffee, imported by the faid thip Shrewsbury, in the year one tee, brought thousand seven hundred and seventy-three, and now remaining by the Shrewf- uncleared in the faid company's warehouses, shall be exported at bury, in 1773, any time within five years, to be computed from the importation thereof, there shall be drawn back and allowed for the same, to the company's the exporter or exporters thereof, such and the same drawbacks or allowances, and under fuch rules, regulations, fecurities, penalties, and forfeitures, as such exporter or exporters would have been intitled to in case such coffee had been exported within the

East India company to be allowed usual discounts on teas and coffee, within five importation thereof.

The term of three years extended to five, in relation to the drawback on exporting teasand coffee America.

and yet rewarehoules.



#### Anno decimo fexto GEORGII III. C. 52. 1776.]

term of three years from the importation thereof; any law, cu-

stom, or usage, to the contrary notwithstanding.

V. Provided always, and be it further enacted by the autho- In case the rity aforesaid, That if the said united company of merchants of company ne-England trading to the East Indies, shall at any time neglect to gleet to supkeep the market supplied with a sufficient quantity of tea at rea- market with fonable prices, to answer the consumption thereof in Great tea, at reason-Britain, it shall and may be lawful to and for the commissioners able prices, of the treasury, or any three or more of them, or for the lord commissioners high treasurer for the time being, to grant licences to any other may grant liperson or persons, body or bodies politick or corporate, to im-censes to any port into Great Britain, from any parts of Europe, in such and persons to imthe like manner, and subject to such duties, and under such re- port the same. strictions and limitations, and upon such notices, and with such licences, as are by any act or acts now in force prescribed and directed with respect to tea to be imported from any parts of Europe by the said united company of merchants of England trading to the East Indies; any thing contained in this act to the contrary thereof in anywife notwithstanding.

CAP. LII.

An act to declare his Majesty's natural-born subjects inheritable to the estates of their ancestors, whether lineal or collateral, in that part of Great Britain called Scotland, notwithstanding their father or mother were aliens.

THEREAS by an act, made in the parliament of England, Preamble. in the eleventh and twelfth years of the reign of his late ma-jesty King William the Third, (intituled, An act to enable his Ma-Act 11 & 12 Gul. 3. jesty's natural-born subjects to inherit the estate of their ancestors, either lineal or collateral, notwithstanding their father or mother were aliens,) it is enacted, That all and every person or per-Sons, being the King's natural-born Subject or Subjects, within any of the King's realms or dominions, shall and may hereafter lawfully inherit, and be inheritable, as heir or heirs to any honours, manors, lands, tenements, or hereditaments, and make their pedigrees and titles by descent from any of their ancestors, lineal or collateral, although the father and mother, or fathers or mothers, or other ancestor of such person or persons, by, from, through, or under whom, he, she, or they, may make or derive their title or pedigres, were or was, or is or are. or shall be, born out of the King's allegiance, and out of his Majesty's realms and dominions, as freely, fully, and effectually, to all intents and purposes, as if such father or mother, or fathers or mothers, or other ancestor or ancestors, by, from, through, or under whom, he, she, or they, Shall or may make or derive their title or pedigree, had been naturalized, or natural-born Subject or Subjects within the King's dominions; any law or custom to the contrary notwithstanding: and whereas doubts have arisen whether the provision of the aforesaid statute would take place in Scotland by the rules of the common law thereof, and it is reasonable that the same rule of succession should take place in both parts of the united kingdom, and that fuch doubts should

Anno decimo sexto Georgii III. C. 52.

be removed; be it therefore declared and enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all and every person or persons, being the King's natural-born subject or subjects within this united kingdom, or any other of the King's realms or dominions, shall and may hereafter lawfully inherit, and be inheritable, in Scotland, as heir or heirs to any honours, manors, lands, tenements, or hereditaments, and make their pedigrees and titles by descent from any of their ancestors, lineal or collateral although the father and mother, or aithough their fathers or mothers, or other ancestor of such person or persons, by, from, through, or under whom, he, she, or they shall or may make or derive their title or pedigree, were or was, or is or are, or shall be, born out of the King's allegiance, and out of his Majesty's realms and dominions, as freely, fully, and effectually, to all intents and purposes, as if such father or mother, or fathers or mothers, or other ancestor or ancestors, by, from, through, or under whom, he, she, or they shall or may make or derive their title or pedigree, had been naturalized or naturalborn subject or subjects within the King's dominions; any law or custom to the contrary notwithstanding.

II. Provided always, and be it further enacted, That no perfon or persons shall be hereby enabled to inherit as heir or heirs. or co-heir or co-heirs, to any person dying seised of any manors, lands, tenements, or hereditaments, in poileffion, reversion, or remainder, through any alien ancestor or ancestors, unless the person or persons so claiming or deriving his or their title as heir or heirs, co-heir or co-heirs, was or were, or shall be in tor, unless the being, and capable to take the same estate as heir or heirs, coclaimant was heir or co-heirs, at the death of the person who shall so last die seised of such manors, lands, tenements, or hereditaments, and to whom he, she, or they shall so claim to be heir or heirs, coheir or co-heirs.

III. Provided also, and be it further enacted, That in case the person or persons who shall be in being, and capable to take, at the death of the ancestor so dying seised of any such honours, manors, lands, tenements, or hereditaments, and upon whom the descent shall be cast, shall happen to be a daughter or daughters of any alien, and that the alien father or mother, through whom such descent shall be derived by such daughter or daughters, thall afterwards have a son born within any of his Majesty's realms or dominions, the descent so cast upon such daughter or daughters shall be divested in favour of such son, and such son shall inherit and take the estate, in like manner as is allowed by the common law in cases of the birth of a nearer heir; or in case such father or mother shall have no son or sons, but shall have one or more daughter or daughters afterwards born within any of his Majesty's realms or dominions, the daughter or daughters so born afterwards shall inherit and take in coparcenary with the daughter or daughters upon whom the descent

All perions, being the King's natural born lubjects, shall Inherit as heirs to any manurs, lands, &c. in Scotland, fathers or mothers, &c. under whom they make their title, were aliens.

No person to inherit as heir to any person dying possessed of manors, lands, &c. through any alien ancelin being at the time of fuch person's death.

Regulations with regard to the fuccelfion, when the descent shall fall upon a daughter, and a ton, &c. fhall afterwards be born.



### 1776.] Anno decimo sexto Georgii III. c. 53, 54.

shall be cast at the death of the ancestor last seised; any thing in this act contained to the contrary notwithstanding.

#### CAP. LIII.

An act to continue the corporation of the guardians of the poor within the lile of Wight, and to confirm the powers and authorities now veited in the said corporation, and to provide new powers and regulations for the members of the same; and to repeal an act, passed in the eleventh year of the reign of his present Majesty, intituled, An act for establishing a bouse or bouses of industry in the Isle of Wight, for the reception, maintenance, and employment, of the poor belonging to the several parishes and places within the said island.

#### CAP. LIV.

An ast to continue an ast, made in the fifth year of the reign of his late majesty King George the Second, (intituled, An ast to prevent the committing of frauds by bankrupts;) and also an ast, made in the fourteenth year of the reign of his present Majesty, (intituled, An ast to prohibit the importation of light filver coin of this realm from foreign countries into Great Britain or Ireland, and to restrain the tender thereof beyond a certain sum.)

WHEREAS the laws hereafter mentioned have by experience Preamble. been found useful and beneficial, and are near expiring; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament affembled; and by the authority of the same, That an act made in the fifth year of the reign Act 5 Geo. 2. of his late majesty King George the Second, (intituled, An act to further conprevent the committing of frauds by bankrupts) which was to con- five years. tinue in force from the twenty-fourth day of June, one thousand seven hundred and thirty-two, for the space of three years, and from thence to the end of the then next session of parliament, and which, by several subsequent acts, made in the ninth and fixteenth years of his faid Majesty's reign, was further continued until the twenty-ninth day of September, one thousand seven hundred and fifty, and by an act made in the twenty-fourth. year of his said late Majesty, was amended, and further continued until the first day of September, one thousand seven hundred and fifty-seven, and which, by three subsequent acts made in the thirty-first year of his said late Majesty's reign, and in the fourth and twelfth years of the reign of his present Majesty, was further continued until the twenty ninth day of September, one thousand seven hundred and seventy five, and from thence to the end of the then next fession of parliament, shall be, and the fame is hereby further continued from the expiration thereof, until the twenty-ninth day of September, one thousand seven hundred and eighty, and from thence to the end of the then next fession of parliament.

II. And be it further enacted by the authority aforesaid, That an act, made in the fourteenth year of the reign of his present

Ma-



#### Anno decimo sexto Georgii III. c. 55-60. [1776. 190

further continued for two years.

Act 14 Geo. 3. Majesty, (intituled, An all to prohibit the importation of light filver coin of this realm from foreign countries into Great Britain er Ireland, and to restrain the tender thereof beyond a certain sum) which was to continue in force until the first day of May, one thousand feven hundred and feventy-fix, and from thence to the end of the then next fession of parliament, shall be, and the same is hereby continued from the expiration thereof, until the first day of May, one thousand seven hundred and seventy-eight, and from thence to the end of the then next session of parliament.

#### CAP. LV.

An act to enable the trustees of certain charity lands, belonging to the poor of Salford, in the county palatine of Lancaster, to grant building-leases thereof.

#### CAP. LVI.

An act for supplying the borough and town of Brecknock, and liberties thereof, with water; and for paving, cleansing, regulating, and lighting, the fireets, lanes, and publick passages there; and for widening and making commodious some of the faid Areets, lanes, and passages.

CAP. LVII.

An act for paving, cleansing, lighting, and watching, the borough and town of Weymouth and Melcombe Regis, in the county of Dorset; and for removing all encroachments, obstructions, and annoyances therein.

#### CAP. LVIII.

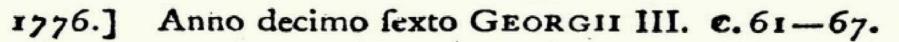
An all to explain and amend an all, made in the twelfth year of his present Majesty, for paving, cleansing, lighting, and watching, the streets and lanes in the town and parish of Chatham, in the county of Kent; and for removing and preventing nuisances and annoyances therein; and to extend the provisions of the Said all to such parts of the High-street in Chatham, as are fituate in the parishes of Saint Margaret and Gillingham, and to other places adjoining or contiguous to the faid town.

### CAP. LIX.

An act for lighting and watching the town of Portsmouth, in the county of Southampton; and for explaining and amending an act, passed in the eighth year of his present Majesty's reign, for the better paving and cleansing the streets and other publick possages in the faid town, and for preventing nuisances and annoyances therein, and for widening and rendering the same more commodious.

### CAP. LX.

An all to amend and render more effectual an all, made in the eighth year of the reign of his present Majesty, for opening certain posfages, and for paving the streets, and other places, in the parish of Saint Leonard, Shoreditch, in the county of Middlesex, and for preventing annoyances therein; and for extending the powers of the Said all to such part of a lane, called Hog-lane, as lies within the liberty of Norton-Falgate, in the faid county.



### CAP. LXI.

An act for erecting a lighthouse or lighthouses and landmarks in or near the port of Chester, and for placing buoys upon the banks and shoals leading into and in the said port; and for regulating of pilots and persons towing or tracking of vessels to and from the city of Chester; and for fixing the rates payable for the same respectively.

#### CAP. LXII.

An act to enable the commissioners of sewers for several limits in the eastern parts of the county of Kent, more effectually to drain and improve the lands and grounds within the General Vallies.

#### CAP. LXIII.

An act for widening and improving several streets in the town of Manchester; and for opening new streets or passages within the said town.

#### CAP. LXIV.

An act for draining, embanking, and preserving, certain sen lands and low grounds called The Parts and Alderlots, in the parishes of Glatton and Holme, in the county of Huntingdon.

#### CAP. LXV.

An act for making the river Soar navigable from the river Trent to Bishop's Meadow, within the liberty of Garenton, in the county of Leicester; and for making and maintaining, a navigable cut or canal from thence, near, or up, and into The Rushes, at Loughborough, in the said county.

#### C A P. LXVI.

An act for making and maintaining a navigable canal, within and from certain lands, belonging to Thomas Talbot Foley, equire, in the parish of Dudley, in the county of Worcester, to join and communicate with the Stourbridge navigation, at a place called Black Delph, upon Pensnet-chace, in the parish of Kingswinford, in the county of Stafford.

### C A P. LXVII.

An act for enlarging the term and powers of so much of an act, made in the twenty ninth year of the reign of his majesty King George the Second, intituled, An act for repairing and widening the high roads from Basing stake through Popham-lane, Sutton, Scotney, and Stockbridge, in the county of Southampton, to a place called Lobcomb-corner, in the county of Wilts; and also for repairing and widening the road from Spittlehouse over Weyhill to Mullen's Pond, in the said county of Southampton; as relates to the roads from Basingstoke to Lobcomb-corner, in the county of Wilts.

## Anno decimo fexto Georgii III. c. 68-72. [1776.

#### C A P. LXVIII.

An act to enlarge the term and powers of an act, passed in the twentysecond year of the reign of his late Majesty, intituled, An act for
repairing the road from the West Cowgate, near the town of
Newcastle upon Tyne, through the west end of Kenton, Pont
Eland, Higham Dykes, Newham Eage, Belsay Mill, and South
Middleton, to the north side of the river Wanspeck, in the
county of Northumberland.

#### CAP. LXIX.

An act for continuing the term and varying the powers of two acts, passed in the third and seventeenth years of his late majesty King George the Second, for repairing the road from that part of Chatham which lies next to the city of Rochester, to Saint Dunstan's Cross near the city of Canterbury, in the county of Kent; and for amending and widening the road from the present turnpike road at or near a place called Makenade-corner, in the parish of Preston, to Bagham-cross and Shalmsford lane-end, in the parish of Chilham, in the said county.

#### CAP. LXX.

An all for continuing the term and enlarging the powers of an all, made in the twenty-eighth year of the reign of his late Majesty, for widening and repairing the road leading from Horsham, in the county of Sussex, through Capel, Dorking, Mickleham, and Leatherhead, to the watch-house in Ebbisham, in the county of Surry; and from Capel to Stone-street, in the parish of Ockley, in the said county of Surry.

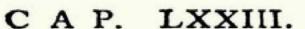
### C A P. LXXI.

An all for amending and keeping in repair the road from Doncaster to the turnpike-road which leads from Bawtry to Retford, in the counties of York and Nottingham.

### C A P. LXXII.

An all for enlarging the term and powers of an all, made in the twenty-ninth year of the reign of his majesty King George the Second, intituled, An all for repairing and widening the roads leading from the east side of Lincoln-heath, to the city of Peterborough; and from the east end of Marham-lane, to the town of Walton, in the county of Northampton; and from the town of Bourn, to the town of Colsterworth; and from Donnington High Bridge, to the cross-post, in the parish of Hacconby; and from the east end of a lane called Hale-drove, to and through the town of Old Sleaferd, to the end of Long-hedge, in the parish of Quarrington, in the county of Lincoln.





An act for enlarging the term and powers of an act made in the twenty-ninth year of the reign of his majesty King George the Second, intituled, An act for repairing and widening the road from the White Stoop near the north end of the town of Derby, through the towns of Duffield and Chesterfield, in the county of Derby, to the town of Sheffield, in the county of York; and from the said town of Duffield to the Moot Hall in the town of Wirksworth, in the said county of Derby.

#### CAP. LXXIV.

An act for enlarging the term and powers of two acts, made in the twenty-second and twenty-ninth years of the reign of King George the Second, for repairing the road from Wansford-bridge in the county of Northampton, to the town and borough of Stamford, in the county of Lincoln, and from Stamford to Bourn in the said county; and for repairing and widening the road from the north end of the bridge, to a gate called Scotgate in Stamford, and from the termination of the turnpike-road in the parish of Bourn, to the market-cross in Bourn.

#### CAP. LXXV.

An act for repairing and widening the road from the market-cross in the township of Clithero, to Salford-bridge in the town of Black-burn, in the county palatine of Lancaster.

#### C A P. LXXVI.

An all to continue and render more effectual several alls of parliament for repairing the highways leading to Highgate-gatehouse and Hampstead, and other roads in the said alls mentioned, in the county of Middlesex; and also to continue and render more effectual, An all to enable the respective trustees of the turnpike-roads leading to Highgate-gatehouse and Hampstead, and from Saint Giles's-pound to Kilbourne, to make a new road from the Great Northern Road at Islington to the Edgeware Road near Paddington, so far as the same is by the said all directed to be under the care and management of the trustees of the said first mentioned alls; and for making a road from the said new road, near Queen's-row, to Bagnigge-wash, and for watching, lighting, and watering the said roads.

#### C A P. LXXVII.

An all to enlarge the term and powers of an all, passed in the twentyfourth year of the reign of his majesty King George the Second,
for repairing the road leading from the town of Ludlow, in
the county of Salop, through Woofferton and Little Hereford,
to a place called Monk's-bridge, in the said county; and also
from the said town of Ludlow to a place or house called The
Maidenhead at Orleton, in the county of Hereford.



### C A P. LXXVIII.

An act for continuing the term, and altering, explaining, and enlarging the powers of an act of the twenty-fixth of King George the Second, for repairing and widening the several roads therein mentioned in the county of Worcester, and for repealing so much of an act of the seventh year of his present Majesty, as relates to the road from Knightsford-bridge to a certain house at Red Marley, in the parish of Great Willey, in the said county, and for putting the same under the management of the trustees for executing the said first mentioned act; and for amending other roads therein mentioned.

### C A P. LXXIX.

An act for continuing and enlarging the terms and powers of two several acts of parliament respecting roads near the borough of Ashburton, in the county of Devon.

#### C A P. LXXX.

An all to enlarge the term and powers of an all, passed in the fifth year of his present Majesty's reign, for repairing and widening the road from the Great Bridge in the borough of Warwick, through Southam and Daventry, to the town of Northampton.

#### C A P. LXXXI.

An act to enlarge the term and powers of an act, passed in the twentyseventh year of the reign of his late majesty King George the Second,
intituled, An act for repairing and widening the road from
Leicester to Narborough, and from Leicester to Coventry, and
from thence through Kenilworth to Warwick, and from thence
to Halford Bridge, and from Warwick to Stratford upon Avon,
and from Coventry to Martyn's Gutter leading towards Stoneleigh town; and for supplying an omission in an act, passed in
the last session of parliament, for repairing the road from Leicester to Ashby-de-la-Zouch, in the county of Leicester; so far as
the same relates to the road from Coventry, through Kenilworth
to Warwick, and from the said city of Coventry to Martyn's
Gutter.

### C A P. LXXXII.

An act to enlarge the term and powers of an act, passed in the twentyfourth year of the reign of his majesty King George the Second, so
far as relates to repairing the road from Tadcaster to Haltondyal, in the west riding of the county of York.

### C A P. LXXXIII.

An all for repairing, widening, and altering the road from the termination of the present turnpike road at Elsdon Higheross, near the town of Elsdon, in the county of Northumberland, on the north-east side of the river Reed, through Overacres, Elishaw, and Catcleugh, to the Red Swyre upon the mid border betwixt England and Scotland.

#### THE

# STATUTES at Large, &c.

Anno regni GEORGII III. Regis, Magnæ Britanniæ, Franciæ, & Hiberniæ, decimo septimo.

Anno Domini 1774, in the fifteenth year of the reign of our sovereign lord GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by several prorogations, to the thirty-first day of October, 1776; being the third session of the fourteenth parliament of Great Britain.

#### CAP. I.

An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and seventy-seven. At sour shillings in the pound.

#### CAP. II.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and seventy-seven.

### C A P. III.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.

### CAP. IV.

An act for the regulation of his Majetty's marine forces while on shore.

### CAP. V.

An act for the better relicf and employment of the pror of the parish of Saint Mary Islington, in the county of Middlesex, and for building a workhouse for the said parish.



#### CAP. VI.

An all for vesting in David Hartley esquire, his executors, administrators, and assigns, the sole use and property of a certain method by him invented of securing buildings against the calamities of fire, throughout his Majesty's dominions, for a limited time.

Preamble; reciting his Majefty's letters patent to e:q.

THEREAS his most excellent majesty King George the third, by his letters patent, under the great seal of Great Britain, bearing date the first day of April, in the thirteenth year of his reign, David Hartley did give and grant unto David Hartley, of Golden Square, in the parish of Saint James, in the county of Middlesex, ejquire, his executors, administrators, and affigns, the full power, sole privilege, and authority, of making, using, exercising, and vending, a certain particular method by him invented, of securing buildings and ships against the calamities of fire, within that part of his Mujesty's kingdom of Great Britain called England, the dominion of Wales, and the town of Berwick upon Tweed, and also in his Majesty's colonies and plantations abroad, for the term of fourteen years; with a provife, obliging the said David Hartley, by writing under his hand and seal, to cause a particular description of the nature of the said invention to be inrolled in his Majesty's high court of Chancery, within four months after the date of the Said recited letters patent: and whereas the faid David Hartley did, in pursuance of the said proviso, cause a particular description of the said invention to be inrolled in the said bigb court of Chancery, upon the twenty-fourth day of July, in the year of our Lord one thousand seven bundred and seventy-three: which description is in the words and form, or to the effect following; that 25 to fay,

Ac.

Description of MY invention of a particular method of securing buildings the nature of Mand ships against the Calamities of fire, is described in the the invention, manner following; that is to fay, " By the application of plates of metal and wire varnished or unvarnished, to the several es parts of buildings and ships, so as to prevent the access of fire, 46 and the current of air, securing the several Joints by doublingin, overlapping, foldering, rivetting, or in any other manner closing them up, nailing, screwing, sewing, or in any other of manner fastening the said plates of metal, into and about the " feveral parts of buildings and ships, as the case may require."

> And whereas the faid David Hartley bath, with great attention and labour, profecuted, and is still profecuting, a variety of experiments in order to perfect the faid invention : and whereas the faid David Hartley hath employed great sums of money out of his own private fortune, and must necessarily advance still larger sums before the said invention can be compleated, and rendered of general publick utility as well by fea as land: and whereas it will not be in the power of the faid David Hartley to carry his invention into compleat execution, so as to render the same of the highest utility to the publick of which it is capable, nor will there be any reasonable prospect to the said David Hartley of be-

ing



### Anno decimo septimo Georgii III. c. 6.

ing reimbursed the sums of money already by him expended and advanced, and the further sum: necessarily to be by him expended and advanced, or of obtaining a proper return and recompence for so important an invention, unless the term granted by the said letters patent be prolonged, and his property in the said invention secured not only within that part of Great Britain called England, the dominion of Wales, the town of Berwick upon Tweed, and his Majesty's colonies and plantations abroad, but also within that part of Great Britain called Scotland, for such time as may enable him to obtain an adequate recompence for his labour, time, and expence: to the end therefore that the said David Hartley may be enabled and encouraged to prosecute and compleat his faid invention, so that the publick may reap all the advantages to be derived therefrom in their fullest extent; may it please your most excellent Majesty (at the humble petition and request of the said David Hartley) that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, The sole prithe full power, sole privilege, and authority of making, using, vilege of make exercising, and vending the said invention herein-before parting and vending the said invention cularly described, except as to ships within the kingdom of said invention Great Britain, and his Majesty's colonies and plantations abroad, vested in Dashall be, and are hereby declared to be, vested in the said David vid Hartley, Hartley, his executors, administrators, and assigns, for and during &c. for 31 the term of thirty-one years; and that he the said David Hartley years. the term of thirty-one years; and that he the faid David Hartley, his executors, administrators, and assigns, and every of them, by himself and themselves, or by his and their deputy or deputies, fervants or agents, or such others as he the faid David Hartley, his executors, administrators, and assigns, shall at any time agree with, and no others, from time to time, and at all times, during the term of years herein-before mentioned, shall and lawfully may make, use, exercise, and vend the said invention, within the kingdom of Great Britain, and in his Majesty's colonies and plantations abroad, in fuch manner as to him the faid David Hurtley, his executors, administrators, and assigns, shall in their discretions seem meet: and that the said David Hartley, his excutors, administrators, and assigns, shall and lawfully may have and enjoy the whole profit, benefit, commodity, and advantage, from time to time coming, growing, accruing, and arifing, by reason of his said invention, for an I during the said term of thirty-one years, to have, hold, receive, and enjoy the same, for and during, and to the full end and term of thirty-one years, as aforesaid; and that no other person or persons within the king- Penalty on dom of Great Britain, or any of his Majesty's colonies or plan- persons maktations abroad, shall at any time, during the said term of thirty- ing or imitatone years, either directly or indirectly, make or use, or put in practice the faid invention, or any part of the same so attained unto by the said David Hartley, nor in any-wife counterfeit, imitate, or resemble the same, nor shall make, or cause to be made, any addition thereunto, or substraction from the same,

Y 2

298

Anno decimo septimo GEORGII III. C. 6. [1777• without the licence, consent, and agreement, of the said David Hartley, his executors, administrators, or assigns, in writing, under his or their hand and seal, or hands and seals, first had and obtained in that behalf; upon such pains and penalties as can or may be justly inslicted on such offenders for their contempt of this act, and surther to be answerable to the said David Hartley, his executors, administrators, and assigns, according to law, for his and their damages thereby occasioned.

Exception, in favour of his Majesty's dock-yards, &c.

II. Provided always, That it shall and may be lawful for the lord high admiral for the time being, or the lords commissioners of the admiralty, or any three or more of them for the time being, to make use of the said invention, in any of his Majesty's dock-yards, rope-houses, brew-houses, and victualling offices, and all other houses or buildings which shall be used in fitting or equipping his Majesty's ships of war, or in victualling and supplying the same, for securing them against fire, in any such manner as they shall think proper, without licence obtained from the aforesaid David Hartley, his executors, administrators, or assigns.

Certain reft ictions laid
on David
Hartiey, &c.
on the breach
whereof this
act to become
void.

III. Provided always, That if the faid David Hartley, his executors, administrators, or assigns, or any person or persons who shall, at any time during the said term of thirty-one years, have or claim any right, title, or interest, in law or equity, of, in, or to the power, privilege, or authority, of the sole use and benefit of the faid invention, shall make any transfer or assignment, or pretended transfer or affignment, of the faid liberty or privilege hereby granted, or any share or shares of the benefit or profits thereof, or shall declare any trust thereof, to or for any number of persons, exceeding the number of five; or shall open, or cause to be opened, any book or books for publick subscriptions to be made by any number of persons, exceeding the number of five, in order to the raifing any fum or fums of money, under pretence of carrying on the faid liberty or privilege hereby granted; or shall by him or themselves, or his or their agents or servants, receive any sum or sums of money whatsoever, of any number of persons, exceeding in the whole the number of five, for such or the like intents or purposes; or shall presume to act as a corporate body, or shall divide the benefit of the liberty or privileges hereby granted into any number of shares, exceeding the number of five; or shall commit or do, or procure to be committed or done, any act, matter, or thing whatfoever, during fuch time as fuch person or persons shall have any right or title, either in law or equity, which shall be contrary to the true intent and meaning of an act of parliament, made in the fixth year of the reign of his late majesty King George the first, intituled, An act for the better securing certain powers and privileges intended to be granted by his Majesty, by two charters, for affurance of ships and merchandizes at fea, and for lending money upon bottomry, and for restraining several extravagant and unwarrantable practices therein mentioned; or in case the said power, privilege, or authority, thall at any time become vested in, or in trust for, more than the number



### 1777.] Anno decimo septimo Georgii III. c. 7.

number of five persons, or their representatives, at any one time, otherwise than by devise or succession, (reckoning executors and administrators as and for the single persons whom they represent, as to such interest as they are or shall be intitled to in right of such their testator or intestate;) that then, and in every of the said cases, all liberties and advantages whatsoever hereby granted, shall utterly cease, determine, and become void; any thing herein-before contained to the contrary thereof in any-wise not-withstanding.

IV. And be it hereby enacted, That any objection which might have been made to the said invention not being a new invention, within the true intent and meaning of an act of the twenty-first of James the first, sufficient to invalidate letters patent, may be made in bar to any action brought by virtue or in consequence of

this act.

V. Provided always, That it shall not be lawful for the afore-Clause for refaid David Hartley, his executors, administrators, or assigns, to gulating the ask, demand, or take, any greater price than sixpence by the fire plates foot square for the plates of metal, mentioned in the above-recited specification, commonly called fire plates, unless the said plates of metal shall be made of copper, or of any other metal except iron, or unless they shall exceed in weight ten ounces avoirdupoise to the foot square.

VI. And be it further enacted by the authority aforesaid, That Publick act.

this act shall be adjudged, deemed, and taken to be a publick act; and shall be judicially taken notice of as such, by all judges, justices, and other persons whomsoever, without specially plead-

ing the lame.

#### C A P. VII.

An act for enabling the commissioners for executing the office of lord high admiral of Great Britain, to grant commissions to the commanders of private ships and vessels, employed in trade, or retained in his Majesty's service, to take and make prize of all such ships and vessels, and their cargoes, as are therein mentioned, for a limited time.

WHEREAS by an act, made in the last session of this present Preamble; parliament, intituled, An act to prohibit all trade and in-reciting 16 tercourse with the colonies of New Hampshire, Massachuset's Bay, Rhode Island, Connecticut, New York, New Jersey, Pensylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, during the continuance of the present rebellion within the said colonies respectively; for repealing an act, made in the sourteenth year of the reign of his present Majesty, to discontinue the landing and discharging, lading or shipping, of goods, wares, and merchandize, at the town and within the harbour of Boston, in the province of Massachuset's Bay; and also two acts, made in the last session of parliament, for restraining the trade and commerce of the colonies in the said acts respectively mentioned; and to enable any person or persons, appointed



Anno decimo septimo Georgii III. c. 7.

pointed and authorited by his Majesty to grant pardons, to issue

1777.

300

proclamations, in the cases, and for the purposes therein mentioned; it is (amongst other things) enacted, That all ships and vessels of or belonging to the inhabitants of the colonies therein mentioned, and all other ships and vessels which shall be found trading in any port or place of the suid colonies, or going to trade, or coming from trading, in any fuch port or place, shall become fo feited to his Majesty, together with their cargoes, apparel, and furniture, as if the same were the ships and effects of open enemies; and that the flag officers, captains, commanders, and other commissioned officers in his Majesty's pay, and also the seamen, marines, and soldiers on board, shall have the sole interest and property of and in all and every such ship, veffel, goods, and merchandize which they shall seize and take, (being first adjudged lawful prize in any of his Majefly's courts of admiralty,) to be divided in Such proportions, and after such manner, as therein prescribed : and whereas many ships and vessels belonging to his Majesty's loyal and welloffected subjects, have been armed and equipped by the owners thereof for their own security, against the rebellious and piratical attacks of the inhabitants of the aforesaid colonies, and several vessels belonging to, and fitted out by, the rebels, have been taken without any commission from his Majesty, the property of which ships, and their cargoes, shough forfeited to his Majefly, is not by law vefted in the captors: and whereas it is just and expedient to vest, under proper regulations, the property of all fuch ships and vestels so taken in the captors, and to provide some encouragement for the defence of the property of his Majesty's loyal subjects, as well as for taking and destroying ships fitted out in an hostile manner by the inhabitants of the rebellious colonies; be it therefore enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this prefent parliament affembled, and by the Commissioners authority of the same, That the lord high admiral of Great Britain, or the commissioners for executing the office of lord high admiral of Great Britain for the time being, or any three or more of them, or any person or persons by him or them impowered and appointed, shall and may, from and after the twentieth day of February, one thouland seven hundred and seventyfeven, at the request of any merchant or merchants, being owner or owners of any thip or vessel employed in trade, or retained in his Majesty's service, giving such bail and security as is hereinafter mentioned and expressed, cause to be issued forth one or more commission or commissions, to any person or persons whom fuch merchant or merchants shall nominate to be commander, or in case of death successively commanders of such ship or vesfel, for the attacking, furprifing, feizing, and taking, by and with fuch thip or vessel, or with the crew thereof, all ships and vessels, goods, wares, and merchandizes, chattels and effects whatfoever, belonging to the inhabitants of the faid colonies now in rebellion; and all thips and veffels, with their cargoes, apparel, and furniture, belonging to his Majesty's subjects in Great Britain or Ireland, which shall be found trading to or from the said colonies, contrary to the provisions of the said act of parliament; and that

of the admiratty, &c. may iffue forth committions to commanders of vettels, for taking thips, &c. belonging to the rebellious colonies, &c.



#### Anno decimo septimo Georgii III. c. 7. \*777-

fuch ships and vessels, goods, wares, merchandizes, chattels and All prizes to effects, so to be taken by or with such ship or vessel, according belong to the to such last-mentioned commission or commissions, (being first captors: adjudged lawful prize in any of his Majesty's courts of admiralty,) shall wholly and intirely belong to, and be divided between and among, such owner and owners of such ship and vessel, and the feveral persons who shall be on board the same, and be aiding and affifting to the taking thereof, in fuch shares and proportions as thall be agreed on with fuch owner or owners of fuch thip or vetlel as thall be the captor thereof, their agents or factors, as the proper goods and chattels of fuch owner or owners, and the persons that shall be intitled thereto by virtue of such agreements among themselves; and that neither his Majesty, his heirs or fucceflors, or any admiral, vice-admiral, governor, or other person commissioned by, or claiming under, his Majesty, his heirs or successors, or any person or persons whatsoever, other than the owner of such ship or vessel being the captor of such prize, ship or vessel, cargo, apparel, and furniture, and the perions claiming under him or them, thall be intitled to any part or thereof, (except as to the customs and duties) any cufrom, statute, or other law to the contrary notwithstanding.

II. Provided always, That nothing in this act contained shall Except when intitle any thip having a commission, and which shall receive such commisorders from, and put herself under the convoy of any his Ma- sioned ships jesty's thips or vessels, to share in any prize or prizes taken by are under fuch convoy, or by fuch thip having a commission, whilst the said commissioned ship shall remain under the care and protection

of luch convoy.

III. And be it further enacted by the authority aforesaid, That Commissioit shall and may be lawful to and for the lord high admiral of ners of the Great Britain, or the commissioners for executing the office of admiralty may lord high admiral of Great Britain for the time being, or any commission, three or more of them, at any time or times hereafter, to revoke &c. and make void, by any order or orders in writing, under his or their hand or hands, any commission or commissions which shall be issued forth to any person or persons who shall be nominated commander or commanders of any ship or vessel, by virtue of this act.

IV. Provided nevertheless, That the secretary of the admiralty Secretary of for the time being shall, with all convenient speed, after any and the admiralty every fuch commission shall be so revoked, cause notice thereof to give notice in writing to be forthwith fent to the owner or owners, or agent cation to the or agents, furety or fureties, or some one of them, of the ship owners, &c. or vessel named or described in such order of revocation; and in case such thip or vestel shall be in the channel, the said order of revocation shall be effectual to superfede and annul the said committion at the expiration of twenty days from and after fuch notice given as aforesaid, or sooner, if notice shall be actually given in writing, by the secretary of the admiralty, to the captain or commander thereof; and in case such ship or vessel shall be to the fouthward of Cape Finisterre, at the expiration of fix Y 4



Anno decimo septimo Georgii III. c. 7. L1777

plain thereof in council.

When any

commission

ed to have continued in

force.

Proviso.

shall be deem-

weeks; and in case such ship or vessel shall be in North America, who may com- or the Well Indies, at the expiration of three months: and any commander or commanders, owner or owners, agent or agents, to his Majesty furety or fureties, of any fuch thip or vessel, whereof such commission or commissions, issued or to be issued forth as aforesaid, shall be so revoked, may complain thereof to his Majesty in council, within thirty days next after the secretary of the admiralty for the time being shall cause notice thereof to be given as aforesaid; and the determination of his Majesty in council, touching every such complaint, shall be final.

V. Provided alway, That in case any such order of revocation order of revo- shall be superseded, such commission shall be deemed and taken cation shall be to have continued in force, and all prizes taken by virtue thereof shall belong to, and be the property of, such owners and captors, in such manner as the same would have been, in case such order

of revocation had not been made.

VI. Provided also, That no person shall be liable to be punished for doing, before he shall have received personal notice of fuch order of revocation, any matter or thing which he might have lawfully done under the authority of such commission, in case such order of revocation had not been made.

Bail, &c. to be taken before granting any

commission.

VII. And be it further enacted by the authority aforesaid, That before the granting or issuing of any commission in pursuance of this act, such bail and security shall be taken as have been usual upon the granting or issuing of commissions for private ships of war; and that, previous to the taking of such bail and security, the persons who propose to be bound and give such fecurity, shall severally make oath, before the judge of the high court of admiralty of England, or his furrogate, or other person or persons by such judge or surrogate lawfully commissioned, that, at the time of their being fworn, they are respectively worth more money than the fum for which they are then to be bound, over and above all their just debts; and moreover, the marshal of the faid high court of admiralty for the time being, or his deputy, or the person or persons so commissioned as aforesaid, is or are hereby required and directed to make diligent enquiry into, and fatisfy himself or themselves of the sufficiency of such bail and fecurity, and make a report thereof to the faid judge, or his furrogate, before any fuch commission shall be granted or iffued.

All persons applying for any commilfion, to let forth in writing an exact de contion of the vellel, its cargo, num. ber of guns, &c.

VIII. And be it further enacted by the authority aforesaid, That, from and after the faid twentieth day of February, one thousand seven hundred and seventy seven, all and every person and persons who shall apply to the lord high admiral, or the commissioners for executing the office of lord high admiral for the time being, in order to obtain any commission to be granted or issued forth in pursuance of this act, shall make every such application in writing; and therein fet forth a particular, true, and exact description of the ship or vessel employed in trade, or retained in his Majesty's service, for which such commission is requested, specifying the cargo thereof, the buithen of such ship



# Anno decimo septimo Georgii III. c. 7.

or vessel, and the number and nature of the guns on board the fame, to what place belonging, and on what voyage bound, and the name or names of the principal owner or owners of such thip or vessel, and the number of men intended to be put on board the same; (all which particulars shall respectively be inferted in every commission to be granted or issued in pursuance Commanders of this act;) and that every commander of a merchant thip, or of commissiona ship retained in his Majesty's service, for which a commission ed ships to shall be granted or issued in pursuance of this act, shall produce produce their fuch commission to the collector, customer, or searcher, for the to the collectime being, of his Majesty's customs, residing at or belonging to tor, &c. of the the port from whence such ship or vessel shall be first fitted out, customs; or to the lawful deputy or deputies of such collector, customer or searcher; and the said collector, customer or searcher, or his who are to or their lawful deputy or deputies, shall, as soon thereafter as examine such conveniently may be, without fee or reward, inspect and examine fuch thip or vessel; and if the same shall thereupon be found to and if found be according to the tenor of the description inserted in such agreeable to commission as aforesaid, or be of a greater burthen or force than the descriptishall be mentioned in such commission, then such collector, on, to grant a customer or searcher, or his or their lawful deputy or deputies, thereof. shall, and he or they is and are hereby required immediately, upon the request of the commander of such ship or vessel, to give a certificate thereof in writing, under his or their hand or hands, gratis, to such commander; which certificate shall be deemed a necessary clearance before such merchant ship or vessel shall be permitted to fail from that port: and if the commander of any Penalty on thip or vessel, for which any commission shall have been granted commander or issued in pursuance of this act, shall depart with such ship or leaving port vessel from such port of clearance, before he hath received such tificate, &c. certificate, or shall depart from any such port, or proceed upon a voyage with a force inferior to the force specified in such commission, or required by this act, in every such case, the commission for such thip or vessel shall from thenceforth be absolutely null and void, and the commander so offending, being convicted thereof before any court of admiralty, shall be imprisoned, without bail or mainprize, for such space of time as the faid court shall direct, not exceeding one year for any one offence.

IX. And be it further enacted by the authority aforesaid, That Penalty on if any collector, customer, or searcher of his Majesty's customs, collector, or his or their lawful deputy or deputies, shall grant a certificate customer, &c. for any thip or vessel which shall not be of the burthen and force to granting specified in the commission granted to the commander or com-cate. manders thereof, or of greater burthen and force than shall be mentioned in such commission, he shall, for such offence, forfeit his said office, and be for ever after incapable of holding any office in the customs, and shall also forfeit the sum of one hundred pounds, to be recovered by any person or persons who will fue for the same, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, or in the



Anno decimo septimo Georgii III. c. 7. [1777. courts of festion or exchequer in Scotland, in which no essoin, protection, wager of law, or more than one imparlance, shall be allowed; and one moiety of the said penalty of one hundred pounds, when recovered, shall be paid to the informer or informers, and the other moiety to the treasurer for the time being to the corporation for the relief and support of sick, maimed, and disabled seamen, and of the widows and children of such as shall be killed, slain, or drowned, in the merchants service, for the use of such corporation; or where such forfeitures shall be incurred in any of the out-ports in which a corporation is established, or shall hereafter be established, for the purposes aforesaid, then a moiety of such penalty shall be paid to the trustees for the use of the corporation so established.

Proviso for atcertaining the tonnage.

X. Provided always, That the number of tons so to be certified, be ascertained according to the rules laid down by an act, passed in the eighth year of the reign of her late majesty Queen Anne, (intituled, An all for making a convenient dock or bajon at Liverpoole, for the security of all ships trading to and from the said port of Liverpoole.)

If the comcommissioned thip thall agree with any perfon belonging to any prize taken, for the ranfom there of, &cc.

XI. And Le it further enacted by the authority aforesaid, That mander of any in case, at any time or times after the said twentieth day of February, one thousand seven hundred and seventy-seven, any commander or commanders of any merchant thip or thips, or vessel or vessels, duly commissioned by virtue of this act, shall agree with the commander or commanders, or other person or persons, of or belonging to any thip or thips, vessel or vessels, for the ransom of any such ship or thips, vessel or vessels, or the respective cargo or cargoes thereof, or any part thereof, after the same shall have been taken as prize, and shall, in pursuance of such agreement or agreements, actually quit, set at liberty, or discharge any such prize or prizes, instead of bringing the same into some port or ports belonging to his Majesty's dominions not in rebellion; that then all and every of the commander and commanders of fuch commissioned thip or ships, or vessel or vessels, who shall agree for any such ransom, and shall quit, fet at liberty, or discharge, any such prize or prizes in manner aforesaid, shall be deemed, adjudged, and taken to be guilty of piracy, felony, and robbery, and he, they, and every of them, being duly convicted thereof, shall have and suffer such pains of death, lois of lands, goods and chattels, as pirates, felons, and robbers upon the feas, ought to have and fuffer according to the laws now in being.

he shall be deemed a pirate, and fuf-Fer according-Ly.

XII. And be it further enacted by the authority aforesaid, That all and every person or persons, who shall be nominated and appointed agent or agents for any prize or prizes which shall be taken by virtue of this act, and which prize or prizes shall after sentence be condemned in the high court of admiralty in Great Britain, or in any other of the courts of admiralty in any of his Majesty's dominions where the faid prize or prizes, and every of them,

of condemnation,

shall be condemned, shall exhibit, and cause to be registered, in the faid high court of admiralty in Great Britain, or in the re-

torney within fix months

Agents shall

regitter their letters of at-



# 1777.] Anno decimo septimo Georgii III. c. 7.

spective courts of admiralty in any other of his Majesty's dominions, or elsewhere, where the said prize and prizes, and every of them, shall be condemned, his or their respective letter or letters of attorney, appointing him or them agent or agents for the purposes aforesaid: and if any person or persons so appointed agent or agents, as aforesaid, shall refuse or neglect so to do, for the space of fix calendar months next after sentence of condemnation of any prize shall be given in the said high court of admiralty in Great Britain, or other admiralty court in any of his Majesty's dominions, for the care and distribution of which he or they shall be appointed agent or agents; such person or per- or sorfeit sool. fons so refuting or neglecting, shall forfeit the sum of five hundred pounds, to be recovered by him or them who will sue for the same, by action of debt, bill, plaint, or information, in any court of record in Great Britain, or elsewhere; in which no effoin, protection, wager of law, or more than one imparlance, shall be allowed.

XIII. Provided always, and it is hereby enacted by the au- Provide. thority aforesaid, That if any agent or agents shall be appointed after the time any sentence of condemnation, in any of the said courts of admiralty, shall be given, such agent or agents shall, under the aforesaid penalty, register, or cause to be registered, in manner aforesaid, his or their respective letter or letters of attorney, appointing him or them agent or agents, as aforesaid, within the space of fix calendar months after the date of the said letter or letters of attorney.

XIV. Provided always, and be it declared and enacted by the Ships and or be construed to extend, or exempt any ships, goods, wares, not to be exor merchandize, which shall be taken as prize, and brought or empted from imported into this kingdom, or any of his Majesty's dominions, payment of from the payment of any customs or duties, or from being sub- customs, &c. ject to fuch restrictions and regulations to which the same now are, or shall hereafter be liable by virtue of the laws and statutes

of this realm.

XV. And be it further enacted by the authority aforesaid, Certain clau-That the several regulations and provisions expressed and con- ses in 16 Geo. tained in the above-recited act of the last session of parliament, 3. cap. 5. tobe and all clauses, provisoes, matters, and things therein expressed applied in and contained, thall be applied, and made use of, for effectually act. carrying this present act into execution, so far as the said regulations and provisions, claufes, provisoes, matters, and things conta ned in the said act of the last session of parliament, relate to, or in any-wife concern, the condemnation, or other determination of prizes, and the proceedings thereupon, and alforthe appraisements and sales of prizes, and payment of prize-money, and likewife the penalties and forfeitures to which the judges and officers of the admiralty courts, and also the agents for prizes, and embezzellers of any part or parts of prizes, and all officers of his Majesty's customs, are thereby respectively made subject and liable, and shall (so far as the nature and circum**stances** 



pointed to be divided; and amongst the owners, officers and seamen of any merchant ship or vessel, or ship or vessel retained in his Majesty's service, to be commissioned by virtue of this act, in such manner and proportion as by any agreement in writing, they shall have entered into for that purpose, shall be directed.

XVII. Provided nevertheless, That in all cases where any Proviso relatfuch oath and certificate cannot be administered and granted at ing to admias shall be taken, sunk, burnt, or otherwise destroyed, shall be granting cerbrought, such oath or oaths, relating to any prize or prizes that tificate. shall be taken, sunk, burnt, or otherwise destroyed, as aforesaid, shall and may be administered and taken, by and before the mayor, or other chief magistrate of any port within any of his Majesty's dominions, or by or before the British consul or viceconful residing at any port abroad, whereunto any prize or prizes, or officers, or men, of any ships belonging to the rebels, as shall be taken, funk, burnt, or otherwise destroyed, shall at any time afterwards be brought, (proof being first made, by affidavit, before such person or persons, of the inability of making such oath or oaths, and obtaining such certificate at the said first port;) and the mayor, or other chief magistrate, consul or vice-consul, shall thereupon grant such certificate and certificates as are herein-before directed; which certificate and certificates shall be. good and effectual to all intents and purposes, as if the same were granted by the mayor, or other chief magistrate, conful or vice-conful, of the port to which fuch prize or prizes, officers or men, as aforesaid, shall be first brought; any thing herein contained to the contrary thereof in any-wife notwithstanding.

XVIII. And be it further enacted by the authority aforesaid, To what per-That the bill or bills, to be made out for the bounty hereby fons the bills, granted to the commanders and officers, seamen, marines, sol-out for the diers, and others of his Majesty's ships of war, for taking, fink-bounty, are ing, burning, or otherwise destroying, any ships of war or pri-to be payable. vateers, belonging to any of the said rebellious colonies, shall be made payable to such person or persons as shall be authorised and appointed by the flag officers or flag officer, captains or captain, officers or officer, ship's companies or thip's company, and others intitled thereunto, in like manner as directed by the faid in-part recited act of the last session of parliament, for the nominating and appointing agents for appraisements and sales, to be made as aforesaid, the same to be distributed and divided by the said person or persons so authorised and appointed amongst the captors, in such manner, form, and proportion, as aforesaid; the feveral shares of which captors, if not legally demanded within three years after publick notification, and also of such as shall run from his Majesty's service, shall be applied to the use of Greenwich hospital: and that the bill or bills to be made out for the bounty hereby granted to merchant thips to be commissioned by virtue of this act, for taking, burning, finking, or otherwise destroying, any ships of war or privateers belonging to any of the faid rebellious colonies, thall be made payable to fuch person

308

Anno decimo septimo Georgii III. C. 7. 1777.

or persons as shall be nominated and appointed by the owner or owners; officers or seamen of such merchant ship or vessel, or ship or vessel retained in his Majesty's service, to be commissioned as aforesaid, who shall have taken, sunk, burnt, or otherwise destroyed the same, or the major part of them, to be divided in fuch manner and proportions as shall have been agreed on by them as aforefaid.

Prizes which had been taken from his Majesty's reftored to them,

XIX. Provided always, and be it further enacted, That if any ship, vessel, or boat, taken as prize, or any goods, therein shall appear, and be proved in the high court of admiralty, or any subjects not in vice-admiralty court, to have belonged to any of his Majesty's rebellion, to be subjects of Great Britain, or Ireland, or any of the dominions and territories remaining and continuing in their allegiance to the king, and under his Majesty's protection, which were before taken or surprized by any of his Majesty's rebellious colonies or plantations before-mentioned, and at any time afterwards again furprized and retaken from his Majesty's said rebellious colonies or plantations, by any ship or vessel having such commission as aforesaid; that then such ships, vessels, boats, and goods, and every fuch part and parts thereof as aforefaid, formerly belonging to fuch his Majesty's subjects remaining and continuing under his protection, shall in all cases be adjudged to be restored, and shall be, by decree of the said high court of admiralty or vice-admiralty court, accordingly restored to such former owner or owners, or proprietors, he or they paying for and in lieu of falvage, (if retaken from the rebels by a merchant ship or vessel commissioned as aforesaid) one-eighth part of the true value of the ships, vessels, boats, and goods, respectively so to be restored; which salvage shall be answered and paid to the commander, officers, and crews of fuch commissioned thip or vessel, to be divided in such and the same manner as before in this act is directed, touching the share of prizes to the owners, commanders and crews of merchant thips, or thips retained in his Majetty's fervice, having commissions as aforesaid.

on payment of 1-8th part of the value thereof.

Offences on board commiffioned thips punishable in ner as on board thips of war.

XX. And whereas in all ships or vessels which shall be commissioned in pursuance of this act, it is expedient for the better discipline and government of fuch ships, that all persons who shall enter themselves the same man- on board the said ships or vessels should be under proper regulations to pay obedience to the lawful commands of the captains and chief commanders of the faid ships and vessels; be it therefore enacted by the authority aforesaid, That all offences committed by any officer or feamen on board any thip or vessel, which shall be commissioned by virtue or in pursuance of this act, during the continuance thereof, shall be punished in such manner as the like offences are punishable on board his Majesty's ships of war.

Offenders accufed of zable only by a court martial, to be confined on board, &c.

XXI. Provided always, That all offenders who shall be accrimes cogni- cufed of fuch crimes as are cognizable only by a court-martial, shall be confined on board such ship or vessel in which such offence shall be committed, until they shall arrive in some port in Great Britain, or Ireland, or can meet with a number of his Majesty's ships of war abroad as are sufficient to make a court-

martial:



#### Anno decimo septimo Georgii III. c. 8. 1777-

martial: and upon application made by the commander of fuch thip or vessel, which shall be so commissioned as aforesaid, to the lord high admiral of Great Britain, or commissioners for executing the office of lord high admiral of Great Britain, for the time being, or the commander in chief of his Majesty's said thips of war abroad, the faid lord high admiral, or commissioners for executing the office of lord high admiral of Great Britain for the time being, or any three or more of them, or fuch commander in chief abroad, are hereby authorized and required to call a court-martial for trying and punishing the said offence.

XXII. And be it further enacted by the authority aforesaid, Limitation of That if any action or suit shall be commenced or prosecuted actions. against any person or persons, for or by reason of any thing done or acted in pursuance of this act; then, and in every such case, fuch action or fuit thall be commenced within fix calendar months next after the fact committed, and not afterwards; and the defendant or defendants thall and may plead the general General iffue. issue, and give this act and the special matter in evidence: and if the act thall appear to have been done in pursuance of and by the authority of this act, or if any such action or suit shall be brought after the time herein-before limited for bringing the fame, then the jury thall find for the defendant or defendants; and upon such finding, or if the plaintiff or plaintiffs shall be nonfuited, or discontinue his or their action after the defendant or defendants shall have appeared, or if, upon demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs.

XXIII. And be it further enacted by the authority aforesaid, Continuance That this act, and every clause, proviso, matter and thing here- of this act. in contained, shall remain, continue, and be in force, for, during, and until the expiration, or other sooner determination of the

aforesaid act of the last session of parliament.

#### CAP. VIII.

An all to amend fo much of an all, made in the thirteenth year of the reign of his present Majesty, (intituled, An act for establishing certain regulations for the better management of the affairs of the East India company, as well in India as in Europe,) as relates to the day on which the annual election of directors of the Said company is to be made.

ATHEREAS by an act, made in the thirtcenth year of the reign of his present Majesty, (intituled, An act for establish - Preamble. ing certain regulations for the better management of the affairs Act 13 Geo. 3. of the East India company, as well in India as in Europe; ) it is, recited. among other things, enacled, That at the then next ensuing general election of directors of the said united company, instead of an election of twenty-four directors to ferve for the space of one year only, there should be chosen, in such manner and order as the directors of the said united company for the time being should appoint, fix directors expressly for the term of one year, and fix other directors for the term of two years, and fix other directors for the term of three years, and the re-

Treble cofts.

maining



Anno decimo septimo Georgii III. c.8.

maining fix directors for the term of four years, and not otherwise; and from thenceforth yearly and every year, and at the expiration of each and every of the said terms respectively, six new directors, and no more, should be chosen, from time to time, in the place of such directors whose term should have expired, and who were thereby declared incapable of being then rechosen; and at every subsequent election, during the continuance of the charter of the said united company, fix new directors should be chosen, and should continue to be directors for the term of four years, and no longer, to be accounted from the day on which the election of such directors was respectively made; and in case the office and authority of any such director should become void, by death, removal, or otherwise, another should be chosen, from time to time, in his piace, to serve as a director during the remainder of fuch term for which the person whose office should have become void was chosen, and no longer: and whereas the first general election of directors of the faid united company, after the passing the said recited act, was made on the thirteenth day of April, which was in the year of our Lord one thousand seven hundred and seventy four, at which time fix directors were chosen for the term of one year, fix other directors for the term of two years, fix other directors for the term of three years, and fix other directors for the term of four years, according to the directions of the faid recited at; and afterwards on the thirteenth day of April, which was in the year of our Lord one thousand seven hundred and seventy-five, six other directors were chosen for the term of four years, in the room of those directors who were eletted for one year, as aforesaid; and on the thirteenth day of April, one thousand seven hundred and seventy fix, fix other directors were chosen for the term of four years, in the room of those directors who were elected for two years, as aforefaid: and whereas there is not any provision in the faid act, for the making an election of directors of the faid united company at any other time than on the exact day when the term of the former elections expire : and whereas the day of election of directors in the year one thousand seven hundred and seventy-seven, according to the faid recited act, will happen on Sunday, the thirteenth day of April, one thousand seven hundred and seventy seven; but it is highly improper that such election should be made on a Sunday, and it is expedient that the like impropriety should be prevented in future; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, instead of the said general election of fix directors of the said united company, in the said year one thousand seven hundred and seventy-seven, for the term of four years, being made on Sunday, the faid thirteenth day of April, one thousand seven hundred and seventy-seven, the same election shall be made on Wednesday, the fixteenth day and all future of the same month of April; and in respect to all future annual elections of directors of the faid united company, instead of the fame being made on the exact day of the expiration of the term for which the former directors were elected, in pursuance of the faid recited act, such future annual general elections of directors

General election of directors for 1777, to be on Wedneiday, April

annual elections on the second Wedmelday in April.

# Anno decimo septimo Georgii III. c. 9. [1777.

#### CAP. IX.

An all to impower his Majesty to secure and detain persons charged with, or suspected of, the crime of high treason, committed in any of his Majesty's colonies or plantations in America, or on the high Jeas, or the crime of piracy.

#### Preambl

X7 HEREAS a rebellion and war have been openly and traiterously levied and carried on in certain of his Majesty's colonies and plantations in America, and acts of treason and piracy have been committed on the high feas, and upon the fishs and goods of his Majefly's subjects, and many persons have been seised and taken, who are expressly charged or strongly suspected of such treasons and felonies, and many more such persons may be hereafter so seised and taken: and whereas fuch persons have been, or may be brought into this kingdom. and into other parts of his Majesty's dominions, and it may be inconvenient in many such cases to proceed forthwith to the trial of such criminals, and at the same time of evil example to suffer them to go at large; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assem-Persons guilty bled, and by the authority of the same, That all and every perof high treason son or persons who have been, or shall hereafter be seised or taken or at sea, or of in the act of high treason committed in any of his Majesty's colonies or plantations in America, or on the high feas, or in the spected there- act of piracy, or who are or shall be charged with or suspected of the crime of high treason, committed in any of the said colonies, or on the high seas, or of piracy, and who have been, or shall be committed, in any part of his Majesty's dominions, for fuch crimes, or any of them, or for suspicion of such crimes, or any of them, by any magistrate having competent authority in that behalf, to the common gaol, or other place of confinement as is herein-after provided for that purpose, shall and may be thereupon secured and detained in safe custody, without bail or mainprize, until the first day of January, one thousand seven hundred and seventy-eight; and that no judge or justice of peace shall bail or try any such person or persons without order from his Majesty's most honourable privy council, signed by six of the

piracy, or fuof, may be kept in cuitody, til Jan. 2, 3778.

His Majeffy BOAN Sphour places of con. Basment for

to the contrary in any-wife notwithstanding. II. And whereas it may be necessary to provide for such prisoners within this realm some other places of confinement besides the common goals; be it enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, by warrant under his sign manual, to appoint one or more place or places of confinement tuch prisoners. within the realm, for the custody of such prisoners; and all and every magistrate and magistrates, having competent authority in that behalf, are hereby authorised to commit such persons as aforesaid to such place or places of confinement, so to be appointed, inflead of the common gaol.

faid privy council, until the faid first day of January, one thoufand feven hundred and feventy-eight, any law, statute, or usage,

III. Pro-



### 1777.] Anno decimo septimo Georgii III. C. 10,11.

III. Provided always, and be it enacted, That no offences shall What offenbe construed to be piracy within the meaning of this act, except ces shall be acts of felony committed on the ships and goods of his Majesty's racy.

subjects by persons on the high seas.

IV. Provided also, and it is hereby declared, That nothing No person herein contained is intended, or shall be construed to extend to punishable by the case of any other prisoner or prisoners than such as shall any offence have been out of the realm at the time or times of the offence or committed offences wherewith he or they shall be charged, or of which he within this or they shall be suspected.

V. And be it further enacted by the authority aforesaid, That This act to this act shall continue and be in force until the said first day of continue in January, one thousand seven hundred and seventy-eight, and no force till Jans longer.

longer.

#### CAP. X.

An act for defraying the charge of the pay and cloathing of the militia in that part of Great Britain called England, for one year, beginning the twenty-fifth day of March, one thousand seven hundred and seventyleven.

#### CAP. XI.

An act for more effectually preventing frauds and abuses committed by persons employed in the manufactures of combing wool, worsted yarn, and goods made from worsted, in the counties of York, Lancaster, and Chester.

WHEREAS by an act, made in the twenty-second year of the Preamble. reign of his late majesty King George the Second, intituled, 22 Geo. 2. An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and filk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hotpressers, and of all persons employed in the said several manufactures; and for the better payment of their wages: and by another act, made in the fourteenth y ar of the reign of his present ma- 14 Geo. 3. jesty King George the Third, intituled, An act to amend an act, made in the twenty-second year of the reign of his late majesty King George the Second, intituled, An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, bemp, flax, mohair, and filk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot-pressers, and of all persons employed in the faid several manufactures; and for the better payment of their wages: and by another act, made in the fifteenth year of the reign of his faid prefent Majefly, and 15 Geo. :. intituled, An act to explain and amend an act, made in the four- recited. teenth year of his present Majesty, intituled, An act to amend an et, made in the twenty-second year of the reign of his late majesty King George the Second, intituled, An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the wooden, linen, fustian,

Z 2

cotton.



Anno decimo septimo GEORGII III. C. 11. [1777

cotton, iron, leather, fur, hemp, flax, mohair, and filk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot-pressers, and of all persons employed in the faid several manufactures; and for the better payment of their wages: certain penalties and punishments in the said alls respectively mentioned, are inflitted upon all persons who shall reel false or short yarn, and on persons embezzling the materials used in the said manufactures: and whereas the good purposes of the said laws have been greatly frustrated, from the manufacturers of combing wool, worsted yarn, and goods made from worsted, being unwilling to expose themselves singly to the loss attending the resentment of the Spinners and work people, by prosecuting them for offences against the faid acts: and whereas this important branch of the woollen manufactory will be greatly prejudiced thereby, unless the manufacturers are enabled jointly to carry these laws into effectual execution; which cannot be done without the aid of parliament: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, General meet- That a general meeting of the manufacturers of combing wool, worsted yarn, and goods made from worsted, in the counties of York, Lancaster, and Chester, shall be held at Hallifax, in the county of York, on the second Monday in the month of June next enfuing after the passing of this act, at the hour of eleven of the clock in the forenoon of the same day, notice of which shall be given in the Leeds and Manchester newspapers, at least twenty-one days before the faid meeting, by the clerk of the peace for the west riding of the county of York; at which said general meeting the faid manufacturers prefent, by themselves, or proxies appointed by writing under the hand of any of fuch those of York- manufacturers, shall have votes; and having first chosen a chairman, the Yorkshire manufacturers shall elect, nominate, and appoint eighteen persons from amongst themselves, and the Lancashire and Cheshire manufacturers shall elect, nominate, and appoint nine persons from amongst themselves; which said eighteen and nine persons so to be elected, shall be a committee

> of the faid manufacturers for the time being, and until another committee shall be chosen and appointed in the manner hereinafter provided, and so as often as there shall be occasion; which committee are hereby authorised and impowered to nominate and recommend two or more proper persons, to be licensed by the justices of the peace of the west riding of the county of York, at any of their quarter festions for the said riding, or any adjournment thereof, to be inspectors for the purposes herein-after mentioned, and also to have the direction of all prosecutions of offenders against this and the said before-mentioned acts, and the management of the fund herein-after to be created, and to do all other matters and things which may be deemed necessary and proper for the carrying this act into execution, in such manner as the said committee of the manufacturers for the time being,

ing of manufacturers appointed:

fhire to elect 18, and those of Lancashire and Cheshire 9 persons to he a committee.



### 1777.] Anno decimo septimo Georgii III. C. 11.

or any seven or more of them, at a publick meeting to be assembled, shall judge and think best for the interest and advantage of all the faid manufacturers.

II. And be it further enacted, That it shall and may be law- Committee to ful to and for the faid committee, or the greater part of them, appoint a at any general meeting affembled (and they are hereby autho- clerk: rised and required) from time to time to nominate and appoint, by writing under their hands, a proper person to be their clerk; which said clerk shall attend the meetings of the said committee, His duty. and shall, in proper books to be provided for that purpose, enter and keep true and perfect accounts of all the acts, proceedings, and transactions of the said committee; and that each and every of the faid manufacturers shall and may at all convenient times have recourse to, and peruse and inspect, all such books gratis, and may demand and have copies thereof, or of any part thereof, paying two-pence for every one hundred words fo to be copied; and if the clerk shall refuse to permit any such manufacturer to inspect such books, or refuse to make copies or extracts thereof, at the rates or times aforesaid, he shall, for every fuch offence, forfeit the sum of five pounds, to be recovered in fuch manner as any other penalty inflicted by this act is directed to be recovered.

III. And be it further enacted, That, for the purposes afore- Quarterly faid, a meeting of the faid committee, for the time being, shall meetings apbe held four times in every year; (that is to fay) on the Monday pointed. before Midsummer-day, on the Monday before Michaelmas-day, on the Monday before the Epiphany, and on the Monday before Easterday, at eleven of the clock in the forenoon of each and every of the faid days, who shall have power to adjourn themselves from time to time, as occasion may require; three of which said quarterly meetings of fuch committee shall be held at some place or places within the county of York, and the other quarterly meeting shall be held at some place within the county of Lancaster; the first of which said quarterly meetings shall be held on the first of the faid days on which the faid quarterly meetings are hereinbefore appointed to be held, which shall first happen after the election of such committee as aforesaid, and at such place as shall be fixed and agreed upon by such committee after their election; and at fuch first quarterly meeting, and every subsequent quar- Chairman to terly meeting of fuch committee for the time being, a chairman be chosen. for each of such said quarterly meetings being chosen, the place at which the then next following quarterly meeting shall be held, shall be fixed upon and appointed by the majority of such committee then assembled; and the chairman of such committee is hereby required to cause fourteen days notice to be given, of the time and place where the next following quarterly meeting of fuch committee is appointed to be held, in the Leeds and Manchester weekly newspapers: and all matters or things which thall Questions to come before such committee for their determination, shall be be determined determined by a majority of votes of the members of such com-by a majority. mittee then present; and if there shall be an equality of votes

Z 3

816

Anno decimo septimo Georgii III. c. 11.

upon any question which shall come before the said committee, then the chairman shall have a casting vote, by which vote such

question in dispute shall be determined.

No buliness to be done at quarrerly meetings, uhlets feven inembers ate prefenta

Three committee-men may call a fpecial meeting.

New committee-men to be thosen in case of death, etc.

If committee neglect their duty.

juffices may, on complaint general meeting, etc.

IV. Provided nevertheless, That in case there shall not at any of such quarterly meetings be there present and assembled sevent of the persons constituting such committee, then and in such case it is hereby declared, that no business whatsoever shall be done at such meeting; and the majority of the persons then present shall appoint at what place the next quarterly meeting shall be held, and give fourteen days notice thereof in the Leeds and Manchester weekly newspapers, in manner above-mentioned.

V. And be it further enacted, That if at any time it shall appear to any three or more of such committee for the time being, that for the more effectual putting any of the powers granted by this act into execution, or for fettling or discussing any matters or things whatfoever relative to the same, a special meeting of such committee is necessary or expedient to be held, it shall and may be lawful for the faid three or more of the faid committee for the time being, to direct the clerk to give notice of such special meeting of the committee, to every member thereof, setting forth the place where, and the time when, such special meeting shall be appointed to be held; and in case there shall be then present at such special meeting seven of the said committee, it shall and may be lawful to and for the said committee so present, to proceed in the execution of the powers given by this act to fuch committee.

VI. And be it further enacted, That in case any one or more of the said committee for the time being shall die, or shall decline business as a manufacturer, or shall go to reside in any distant part of the kingdom, or shall wilfully absent himself or themfelves from the faid quarterly meetings for the space of one year, or refuse to act, then and in such case it shall and may be lawful to and for the faid committee for the time being, at any of their faid quarterly meetings, there being feven of fuch committee then present, to choose another or other proper person or perfons, being manufacturers of combing wool, worsted yarn, or goods made from worsted, in his or their place or places, who shall have the same power and authority as if appointed at a general meeting.

VII. And be it enacted by the authority aforesaid, That if at any time hereafter it shall appear to any fifty or more of the said manufacturers of combing wool, worsted yarn, or goods made from worsted, within the said counties of York, Lancaster, and Chester, that the said committee for the time being neglect to discharge their duty, to the ends, intents, and purposes for which fuch committee was appointed; and in case such fifty or more of fuch manufacturers fo diffatisfied shall, in writing under their thereof, call a hands, make complaint thereof to the justices of the peace for the said west riding of the county of York, in any of the general or quarter sessions of the peace for the said west riding to be held and assembled, then and in such cate it shall and may be lawful



# 1777.] Anno decimo septimo Georgii III. C. 11.

to and for fuch justices in such sessions assembled, and they are hereby required (if they shall think proper, after hearing the nature of fuch complaint) to call and appoint a general meeting of the manufacturers of combing wool, worsted yarn, and goods made from worsted, within the said counties of York, Lancaster, and Chester, at such time and place as such justices shall think proper, and shall also cause notice to be given of such general meeting of such manufacturers as aforesaid, in the Leeds and Manchester weekly newspapers, setting forth the place where, and time when, such general meeting shall be held, the same not being less than twenty-one days after such notice given in the said papers, and which notice shall be continued in the faid papers until fuch meeting shall be held; and it shall and may be lawful to and for fuch manufacturers then present at such general meeting called and held in manner as aforesaid, to elect, nominate, and appoint a committee, confisting of the same number of perfons, and in the like manner, and under and subject to the like orders, regulations, and directions, herein-before laid down and ordered for the election of the first committee: and the persons so elected, nominated, and appointed to be a new committee, in manner aforesaid, shall thereupon be invested with the same powers and authorities as the former committee were invested with.

VIII. And, for preventing frauds and abuses for the future by persons employed in the said manufactures of combing wool, worsted yarn, and goods made from worsted, and for the more effectual carrying this all into execution; be it further enacted, That the justices Justices to apof the peace for the said west riding of the county of York, at point inspecttheir next quarter sessions of the peace to be holden for the said ors of worsted riding, or any adjournment thereof, after Midsummer next after yarn. the passing of this act, shall and may, and they are hereby authorised and required to appoint such persons, of good character and repute, within the faid counties of York, Lancaster, and Chester, as shall be recommended to the said justices by the said committee of manufacturers, or any seven of such committee, in writing under their hands, to be inspectors of worsted yarn, within

the faid counties of York, Lancaster, and Chester.

IX. And be it further enacted, That the said committee of Committee to manufacturers for the time being, or any seven of them, shall station inspectand may, and they are hereby authorifed to station such inspectors ors, and allow for such districts in the said counties of York Lancaster and them salaries, for such districts in the said counties of York, Lancaster, and etc. Chefter, as the said committee, or any seven of them, shall think proper; and shall and may assign, allow, and pay to the said inspectors so appointed, such yearly salaries as the said committee, or any seven of them, shall think proper, to be paid out of the fund herein-after mentioned to be raifed for that and the other purposes of this act; and also shall and may remove, dismiss. and displace any of such inspectors, who, by sickness, or any other accident, shall be rendered incapable of serving the faid office, or shall misbehave, or not conduct himself or themselves to the fatisfaction of fuch committee.

#### 318

Inspectors to use diligence in convicting and bringing offenders to justice:

their powers.

Directions how worsted yarn shall be reeled.

Penalties on false reeling of worsted yarn, etc.

#### Anno decimo septimo Georgii III. C. 11. [1777.

X. And be it further enacted, That the said inspectors for the time being, so appointed, shall severally and respectively, in the several districts allotted to them by the said committee, use all due diligence and industry for the convicting and bringing to justice all offenders against this and the said former acts; and also shall and do from time to time, and as often as they shall be thereto required by the said committee, inspect the several reels of all and every the spinners of worsted yarn, in their several and respective districts within the said counties of York, Lancaster, and Chester, and also the hanks of worsted yarn, in order to see that the directions herein-after laid down for reeling such yarn be complied with; and also shall and do from time to time, when and as they or any of them shall detect any person or persons offending against this or the said former acts, lodge informations against such offender or offenders before the proper justice or justices of the peace, and prosecute such offender or offenders to conviction: and, for the easier detection of all offenders against this and the said former acts, it shall and may be lawful to and for every such inspector or inspectors, from time to time, as occasion shall require, to demand entrance, at all seasonable hours, into the dwelling-house or dwelling-houses, shop or shops, outhouse or outhouses, of any agents, or persons hired or employed to put out wool to be spun, within the said counties of York, Lancaster, and Chester, to inspect the yarn in the custody of any fuch agent, or person hired or employed as aforesaid, within the faid counties of York, Lancaster, and Chester, where he has any information of, or suspects any false or short reeled yarn; and in case of refusal by any such agent, or person hired or employed to put out wool to be spun into worsted yarn, to permit and fuffer such inspection, he, she, or they so refusing shall forfeit and pay fuch sum of money, not exceeding ten pounds, nor less than five pounds, as such justice or justices, before whom he, she, or they shall be convicted, shall think proper, to be recovered and applied as hereafter mentioned.

XI. And be it further enacted, That every person or persons employed, or undertaking to spin or reel worsted yarn for hire, in the counties of York, Lancaster, and Chester, or any of them, shall reel, or cause or procure the same to be reeled, either upon a yard reel of thirty-six inches, or a two yard reel of seventy-two inches, round; and when such worsted yarn shall be so reeled, that each and every several hank of such worsted yarn shall consist of, or contain, seven raps or leas, and that each and every such rap or lea shall consist of, or contain, eighty threads of such worsted yarn.

XII. And be it further enacted by the authority aforesaid, That if any person or persons, hired or employed in the combing of wool, or in the spinning, reeling, winding, or weaving of worsted yarn, or in the preparing or working up any of the materials used in the said manufactures, in the said counties of York, Lancaster, and Chester, or any of them, shall reel or cause to be reeled any worsted yarn contrary to the directions herein-before specified

and



### 1777.] Anno decimo septimo Georgii III. C. 11.

and laid down for the reeling such yarn, or shall conceal, keep back, embezzle, sell, or otherwise dispose of, any wool, or other materials, entrusted with him, her, or them, to spin, or other purposes, and shall of all or any of such several offences be lawfully convicted, before any one or more justice or justices of the peace of the county, riding, division, city, liberty, town, or place, where such offence or offences shall be committed, or where fuch offender so charged shall reside or inhabit, upon the oath of the owner of such yarn or wool, or upon the oath of the inspector or inspectors appointed as aforesaid, or of any one or more credible witness or witnesses (which oath such justice or justices is and are hereby impowered and required to administer) or by the confession of the person or persons charged with all or any of fuch offences, shall, for each and every such offence, be subject and liable to the same penalties and punishments as are severally inflicted by the said former acts, so far as the said former acts, or any of them, are unrepealed; all which penalties shall be recovered, and punishments inflicted, in the manner directed by the said acts, or any of them; and which said penalties shall be publickly distributed by the constable of such township, parish, or place, where such offence or offences shall be committed, in the presence and under the direction of the said inspector or inspectors, amongst the poor of such township, parish, or place, last above-mentioned.

XIII. Provided nevertheless, That no part or share of such Proviso. penalties or forfeitures be given to such offender or offenders,

his, her, or their family or families.

XIV. And be it further enacted by the authority aforesaid, Penalty on That if any agents, or persons hired or employed to put out agents resuswool to be spun into worsted yarn, shall have in his, her, or ing to discover their custody or possession, any worsted yarn not reeled accord- persons guilty ing to the directions herein-before specified and laid down for ing yarn. the reeling thereof, and shall refuse or not set forth and give in evidence, before any of his Majesty's justices of the peace for the said counties of York, Lancaster, and Chester, or any riding, division, city, liberty, town, or place, within the same, respectively, being thereto required, what person or persons was or were the reeler or reelers of such false or short reeled yarn, or who was or were hired or employed to reel the same, so that the person or persons who reeled, or caused to be reeled, such false or short yarn may be lawfully convicted thereof in manner aforefaid, he, the, or they fo refusing, and being thereof lawfully convicted, upon the oath of any person or persons, before such justice or justices of the peace as are herein-before mentioned, thall forfeit and pay the fum of five shillings for every parcel of yarn made up as and for a pound, so false or short reeled, which shall be found in his, her, or their custody; all which penalties inflicted by this act shall be recovered in the same manner as the penalties inflicted by the said former acts are directed to be recovered, and shall go, be paid, and applied, by such person or persons, and in such manner and form, to the poor of the town-



Anno decimo septimo Georgii III. C. 11. [1777.

ship, as the penalties herein-before mentioned are directed to be

paid and applied.

Upon the death, etc. of inspectors, others to be appointed.

XV. Provided always, and be it further enacted, That if any person who shall be so appointed an inspector of worsted yarn, shall happen to die, or shall be removed or displaced from his said office, it shall and may be lawful for the said justices of the peace of the said west riding of the county of York, in quarter sessions assembled as aforesaid, to license some other proper person or persons to be an inspector or inspectors of worsted yarn, within the said counties of York, Lancaster, and Chester, upon the like recommendation, and in such manner, as is herein-before mentioned; which said person or persons shall be invested with all the powers, and subject to the like removal, and liable to the like penalties, for any breach or neglect of duty, as the inspector or inspectors, in whose place or places he or they shall be appointed to succeed, was invested with or subject and liable to.

Punishment of inspectors fereening of-fenders from justice.

XVI. And be it further enacted, That in case any inspector or inspectors, so appointed as aforesaid, shall at any time or times hereafter take or receive, from any person or persons offending against this or the said former acts, any sum or sums of money, or any other thing whatsoever, to screen from justice, or otherwife to hinder or prevent such person or persons so offending as aforesaid from being convicted of such offence or offences, and being thereof convicted upon the oath of two or more credible witnesses, before any one or more justice or justices of the peace of the county, riding, division, city, liberty, town, or place, where fuch offence or offences shall be committed, or where the person or persons so charged shall reside or inhabit (which oath fuch justice or justices is and are hereby impowered to administer) then and in such case it shall and may be lawful to and for fuch justice or justices of the peace to commit such inspector or inspectors so offending to the house of correction, or other publick prison, in the county, riding, division, city, liberty, town, or place, where such offence shall be committed, for the space of one month.

XVII. And whereas by several acts of parliament, made in the tenth and twelfth years of the reign of Queen Anne, and several subsequent acts, the collectors of the duties upon sope, by the said acts granted, are directed to pay out of the monies in their hands, by way of drawback, unto any person or persons who should employ any quantity of sope in the making of any manufactures whereof the greatest part of the value of the materials should be wool, or in preparing the wool for the same, the duties upon the sope so spent and consumed as aforesaid; and to the end that a sufficient fund may be raised for defraying the expences in and about the obtaining this act, and for paying the falaries of the inspectors and clerk to be appointed under, and by virtue, and for the purposes, of this act, and all other necessary expences attending the carrying this all into execution, under the direction of the faid committee; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for all and every the collector or collectors, supervisor or supervisors, or other person

Fund to be established for defraying the expences of the execution of this act.



### 1777.] Anno decimo septimo Georgii III. c. 11.

or persons employed in the collection of the duties on sope, within the said counties of York, Lancaster, and Chester, and who by the faid acts are thereby directed to pay such drawback of the duties on sope to such manufacturers as aforesaid, and such collector or collectors, supervisor or supervisors, or other person or persons, are hereby required, from time to time, to deduct and retain the fum of two-pence out of every shilling, to which any person, being a master manufacturer of combing wool, worsted yarn, or goods made from worsted, residing within the counties of York, Lancaster, and Chester, shall from time to time hereafter be entitled, and of which he, she, or they shall demand payment of, under and by virtue of the said acts, or any other act or acts of parliament whatfoever, as and for the duties of and for all fope spent, employed, and consumed in the combing of wool, making of worsted yarn, or any kind of goods made from worsted, or preparing the wool for the same, in the said counties of York, Lancaster, and Chester; and such collector or collectors, supervisor or supervisors, or other person or persons, and each and every of them, shall severally and respectively pay, or cause to be paid, unto the treasurer of the west riding of the county of York for the time being, (demand being made thereof), all and every the fum or fums of money by him, them, or any of them, fo deducted, retained, had, or received, under and by virtue, and for the purposes of this act.

XVIII. And be it further enacted, That the said treasurer for Treasurer for the said west riding of the county of York, for the time being, the west ridshall, out of the money hereafter to be received by him in man-ing of Yorkner aforesaid, pay the charges and expences of obtaining and thire to pay passing this act, and the expences relative thereto, together with this act out of interest for all or any part of such expences, the salaries of the in- the monies to spectors and clerk herein-before directed to be appointed, the be received expences of all profecutions in support of this and the faid former by him. acts, and fuch other charges and expences as may be hereafter incurred or expended for the support and encouragement of the faid manufactory, as the faid committee, or any four of them, in committee assembled, shall, by writing under their hands, direct or appoint; and the faid treasurer is also hereby required not to pay any fum or fums of money, so to be hereafter received by him for the purposes of this act in manner aforesaid, to any person or persons whomsoever, or for any purposes whatsoever, without fuch order, direction, or appointment, in writing, under the hands of such committee for the time being, or any four of them, in committee assembled; and such treasurer shall, and he is hereby required, yearly and every year, at the quarterly meeting of the said committee herein-before appointed to be held on the Monday before Michaelmas-day, in every year, for the future, to return and transmit to such committee, at such quarterly meeting, a true and perfect account of all and every the fum or fums of money which shall have come to his hands, or been paid by him, fince the then last yearly account; which said account shall be laid before the justices of the peace for the said



Anno decimo septimo Georgii III. C. 11. west riding of the county of York, at their general quarter sessions of the peace yearly to be held next after Michaelmas, by adjournment at Leeds, in the said west riding, for their inspection and allowance.

The rate of ad. in the failling may be reduced, etc.

XIX. And it is hereby further enacted, That in case at any time hereafter the monies herein-before directed and ordered to be paid into the hands of the treasurer for the said west riding of the county of York, for the purposes aforesaid, shall, after payment of all and every the charges and expences herein-before ordered and directed to be paid thereout, amount to the fum of fix hundred pounds; then, and in such case, it shall and may be lawful to and for the faid justices of the peace for the said west riding of the county of York, at their general quarter sessions to be holden at Leeds, as aforesaid, upon application made to them by the faid committee, or any feven of them, by writing under their hands, or upon application made to them the faid justices by fifty or more master manufacturers of combing wool, worsted yarn, or goods made from worsted, within the said counties of York, Lancaster, and Chester, by writing also under their hands, to make orders for reducing the aforesaid two-pence per shilling, which the collectors and supervisors of excise are herein-before directed to retain in their hands, to three-halfpence; one penny, or a halfpenny per shilling, as they may think necessary, until fuch fund shall be reduced to three hundred pounds; and from time to time, upon like application, to advance or reduce the fame, fo as the fund in the treasurer's hands shall not exceed six hundred pounds, nor be reduced to less than three hundred pounds, and so as the same shall never exceed the rate, proportion, or fum of two-pence per shilling, herein-before directed to be deducted and retained as aforesaid.

How juffices on conviction of offenders.

XX. And be it further enacted, That the justice or justices are to proceed before whom any offender shall be convicted as aforefaid, shall cause the said conviction to be made out in the manner and form following; (that is to fay),

Form of conviction.

DE it remembered, That on the D day of in the year of our Lord A. B. is convicted before me [or us] of bis Majesty's justices of the peace for

[specifying the offence, and the place where the fame was committed; and also specifying that it was the first, second, or third offence, against this act, as the case shall be.]

Given under my hand and seal [or, our hands and seals] the day and year aforesaid.

Which conviction the said justice or justices shall cause to be fairly wrote on parchment, and returned to the next general quarter session of the peace for the county, riding, division, city, liberty, town, or place, where such conviction was made, to be filed by the clerk of the peace, and remain and be kept among



### 1777.] Anno decimo septimo Georgii III. c. 11.

the records of such county, riding, division, city, liberty, town,

or place.

XXI. And it is hereby further enacted by the authority afore- Persons agfaid, That if any person or persons shall find him, her, or them- grieved may felves aggrieved by any order or warrant made by any justice or appeal to the justices, or upon any conviction before him or them in pursuance sions. of this act, such person or persons may appeal to the next general quarter sessions to be held for the county, riding, division, city, liberty, town, or place, where the offence shall be committed, which shall not be held within fourteen days next after the cause of appeal shall arise, giving ten days notice of such appeal to the person or persons discovering the offence on which the conviction was made; and if the justices at the said quarter fessions either confirm or disannul the orders or proceedings of the said justice or justices, they shall allow such costs and charges to the party aggrieved thereby, as they shall think reasonable, to be levied and paid in fuch manner as is usual in cases of appeal from any order of the justices of the peace to the sessions, whose order therein shall be final.

XXII. Provided nevertheless, That the person or persons Persons apappealing to the next general or quarter fessions of the peace as pealing to give aforesaid, shall give security, to the satisfaction of the said justice prosecute, etc. or justices, to prosecute such appeal with effect, and to pay the costs which shall be ascertained by the said general or quarter fessions, in case such order or judgment be affirmed; and the justices in the said general or quarter sessions are hereby authorised to hear and determine such appeal, and to make order therein, and to award such costs, as to them shall appear just; Order of justiwhich order shall be final and conclusive to all parties, and shall ces to be final. not be removed or removeable, by any writ of Certiorari, or otherwise, into any of his Majesty's courts of record at Westminster, or elsewhere.

XXIII. Provided nevertheless, and be it further enacted, That Proceedings no order, or other proceedings, so made or had, by or before not to be any justice of the peace, in relation to the premises, shall be quashed for quashed or vacated for want of form only.

XXIV. And be it further enacted by the authority aforesaid, Limitation of That if any suit or action shall be commenced or prosecuted actions. against any person or persons, for any thing done or to be done in pursuance of this act, every such suit or action shall be commenced within fix calendar months next after the fact committed, and not afterwards; and shall be severally laid, brought, and tried in the counties of York, Lancoster, and Chester, as the case shall happen, and not elsewhere; and the defendant or defendants in such actions or suits shall and may plead the general issue, General issue.] and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance of, and by the authority of this act: and if it shall appear to be fo done, or if any such suit or action shall be brought after the time before limited for bringing the same, or shall be brought in any other county or place, that then the jury shall find for



1777.] Anno decimo septimo Georgii III. C. 15, 16. cellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of His Majesty an act of parliament, made in the tenth of his late Majesty's impowered to reign, intituled, An all to explain and amend so much of an all, made grant letters in the twelfth year of the reign of Queen An all in the twelfth year of the reign of Queen An all in the patent for in the twelfth year of the reign of Queen Anne, intituled, An act establishing a for reducing the laws relating to rogues, vagabonds, sturdy beg- theatre at gars, and vagrants, into one act of parliament; and for the more Chefter. effectual punishing such rogues, vagabonds, sturdy beggars, and vagrants, and fending them whither they ought to be fent, as relates to common players of interludes; whereby all persons are discharged to represent any entertainment of the stage whatever, in virtue of letters patent from his Majesty, or by licence of the lord chamberlain of his Majesty's household for the time being, except within the liberties of Westminster, or where his Majesty is residing for the time being; be, and the same is hereby repealed, with respect to the said city of Chester; and that it shall and may be lawful for his Majesty, his heirs and successors, to grant letters patent for establishing a theatre or playhouse within the said city of Chester, which shall be intitled to all the privileges, and subjected to all the regulations, to which any theatre or playhouse in Great Britain is intitled and subjected.

> CAP. XV.

An act for the more easy and speedy recovery of small debts within the parishes of Haliifax, Bradford, Kighley, Bingley, Guiseley, Calverley, Batley, Birstal, Mirfield, Hartishead cum Clifton, Almondbury, Kirkheaton, Kirkburton, and Huddersfield, and the lordship or liberty of Tong, in the west riding of the county of York; and for extending the jurisdiction of the courts baron of the honour of Pontefract, manor of Wakefield, and manor of Bingley, in the faid county.

#### CAP. XVI.

An all for limiting the exemptions from toll (granted by any all or alls of parliament for repairing turnpike roads) on account of cattle going to and from water or pasture.

THEREAS an exemption from toll bas, by several acts for Preamble: repairing turnpike roads, been granted for cattle going to and from water and pasture: and whereas many disputes have arisen how far that exemption extended; and it is not reasonable that cattle going to and from water or pasture should be exempted from tall, when they travel upon, and make use of, any turnpike road for any considerable length; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That in all cases where any exemp- How far the tion from toll for cattle going to and from water or pasture, is exemption or shall be given by any act or acts made, or to be made, for shall extend to repairing any turnpike road, such exemption shall only extend to and from to such cattle as shall be driven to and from water or pasture water or pasfrom ture.



326

Anno decimo septimo Georgii III. C. 17. [1777.

from one parish to the next adjoining parish, or to such cattle as shall not pass upon any such turnpike road, more than for the space of two miles in going to or returning from water or pasture.

This act not tle otherwise liable to pay toll.

II. Provided always, and be it enacted, That nothing in this to exempt cat- act contained shall exempt from the payment of toll, any cattle going to and from water or pasture, for which any person shall be liable to pay toll, by any act made, or to be made, for repairing any turnpike road.

CAP. XVII.

An act for dividing the chase of Ensield, in the county of Middlesex; and for other purposes therein mentioned.

Preamble. Rights of parties. Claim of Trinity College, Cambridge, to great tithes; and of the vicar of Enfield to the small tithes. Survey made, and plan taken. Quantity of land. The scheme of division. Allotment to Enfield. Allotment to Edmonton. Allotment to South Mimms. Allotment to Monken Hadley. Apportionment of Monken Hadley allot-Allotment to the incumbent. Allotment to Hadley common. Proviso. Allotment to Enfield Old Park. A road to be made by Enfield Old Park. Proprietor of the park to pay 51. a year to the parish of Edmonton; who are to make and maintain the faid road. Allotment to Old Fold manor. Reservation of common rights to Enfield Park and manor of Old Fold. Pinfolds reserved to the crown. Stewards, etc. may remove pinfolds, with consent of churchwardens. Allotments to be accepted in lieu of other rights. Allotment in discharge of great tithes of certain parts of the chase. Directions for apportioning the residue of the tithe allotment. When referees differ in opinion, an umpire to be elected. For apportioning part of the tithe allotment. Enfield vicarage may be augmented, etc. Deed of augmentation to be involled. Allotments to be accepted in lieu of fuch tithes. Certain parts of the chase made tithe-free. A refervation to tithe-owners, till their allotments be fenced. Powers to compound for tithes of Enfield allotment. The like power as to Edmonton and Hadley allotments. The like for Hadley incumbent's allotment. The like for the owners of incroachments. Compositions for tithes not to prejudice lesses. Allotments to the King. Fences to be made at his Majesty's expence. Except, etc. The nature of the fences described. Directions for planting quickfets, etc. By whom the fences are to be repaired. His Majesty, etc. impowered to grant leases for 99 years, and to renew the same. Clause for encouraging growth of timber on the King's allotments. His Majesty's rights of chase reserved for a limited time. Owners of allotments may kill deer upon their own lands. Enfield chase, after Jan. 1, 1779, to be dischased. Certain parts of the chace may be imparked. Fisheries reserved to his Majesty for a limited time. Timber reserved to the crown for a limited time. Application of monies arising from sale of timber. The crown impowered to sell certain parts of the chase, etc. Purchasers, on payment of purchase money, to be vested in fee simple, etc. The crown not to fell more than 250 acres besides incroachments. Application of the purchase-money. Edmonton allotment annexed to that parish. South Mimms and Old Fold allotments annexed to South Mimms Monken Hadley allotments annexed to Monken Hadley parish. The rest of the chase to belong to Enfield parish. Directions for assessing the King's allotment. Roads and bridges to be made at his Majesty's expence. A description thereof. The King's and tithe allotments erected into a diffrict for repair or roads. Two surveyors to be appointed. Surveyors, etc. impowered to get materials from commons, filling up pits. etc. Roads over the other parts of the chase, by whom to be made. Ridgeway road to be continued to Enfield town. Quarter sessions may convert certain private roads into publick roads. Owners of lands now part of the chale, excluded from rights of common in marshes, etc. Provisions for possessors of incroachments on the parish allotments. Confirmation of grants by

copy



# 1777.] Anno decimo septimo Georgii III. c. 17.

copy of court-roll. Confirmation of crown leafes. On what terms pofsessors of other incroachments may obtain leases. On what terms copyhold incroachments may be enfranchised; or the fee-simple of other incroachments may be purchased. Receipts to be given for purchase-monies. The form thereof. Rights reserved till sences made. Ensield vicarial dues referved. Dues to the other vicars. Powers for the parishes to make rules and orders concerning their respective allotments : Such rules and orders to be figned by the major part of land-owners, etc. affeffed to the land tax at 101. a year. Monic accruing from parish allotments, to be paid to churchwardens, etc. till order made to the contrary. 200 acres of Enfield allotment to be inclosed, and tithe-free. Parish officers, with consent of the vestry, may lease the same. Qualification of persons to vote in vestry. No lease to be granted for more than three lives or 99 years. Proper roads to be left. Churchwardens of Enfield impowered to demise 20 acres to fir Thomas Hallifax, for 99 years; and 20 acres to Humphrey Bache, elq. for the same term. Application of the rents of the 200 acres. Edmonton common to be thut up 14 weeks every year. Limitation of penaities for cattle trespassing on the commons. Freeholders, etc. to have the fame rights to recover as the crown would have had. No new gates to be let up, or ways made, without leave of the veftry. Exceptions. Penalty on offenders. Recitals in respect of South Mimms parish. South Mimms allotment, and Bentley-heath, to be divided and allotted among the freeholders, etc. Commissioners appointed. Commissioners to be fworn. Oath of commissioners. When commissioners die, or refuse to act, new ones to be chosen. Two commissioners to be a quorum. Notice of meetings and limitations of distance Survey, admeasurement, etc. to be made. Incroachments made before Sept. 29, 1776, to be the property of the persons in possession. Exceptions. Parish rents reserved. Commisfioners to appoint roads, fences, bridges, etc. At whose expence roads to be made and repaired. Vicarage of South Mimms to be augmented. Vicar, with consent of the patron, etc. may exchange lands allotted to him. Appointment of the residue of the waste. Allotments for cottages, etc. Allotments to other persons. Assessments to be consolidated. Owners of two or more cottages to be allotted one acre for each. Two dwellings under one roof but one cottage. Provision for untenanted houses. An exception as to Mr. Allen, the brewers company, and Shenley parish. Earl of Salisbury's allotment, in discharge of manerial rights and tithes. Commissioners to have regard to the quality and situation of the languetc. Mr. Byng's allotment. Mr. Byng to make a certain part of the road, and to keep it in repair for 7 years. Allotment to Mr. Bowyer. Power to exchange lands. Allotments to be inclosed, etc. Penalty on persons neglecting to inclose. May be levied by diffress, etc. Gaps to be left in the tences. Allorments to be accepted within a certain time. Guardians, etc. may accept. Non-acceptance of guardians not to prejudice infants, etc. This act not to affect wills or fettlements, etc. Allotments to be freeholds. Allotments to be the immediate property of the landlords. Leffees may appeal to commissioners. Tenants for life, etc. impowered to borrow money to inclose, etc. and to mortgage the allotments for a security. Interest to be kept down. Mortgages, etc. may be assigned. Commissioners to make an award. Award to be ingroffed, and inrolled in the duchy court. Right of common, etc. to cease. The lease of the coney-warren to be vacated from Oct. 1, 1777. For felling Mr. Nicoll's cottage and land. For fale of Mr. Russell's cottages and lands. Valuation of timber to be made on oath. The oath. Commissioners to notify the value of the trees on each person's allotment. If owners of land decline the purchase, the trees to be fold by publick auction. Application of purchase-money of land, timber, etc. In case of deficiency, how the same shall be supplied. Allowance to the commissioners. Commissioners to account, etc. Brewers company to enfranchise their copyhold t nements, etc. Form of enfranchitement. Mimms allotment to be a feigniory. Its name. Churchwardens incorporated. Clause for preserving new fences. No sheep to be kept in the new inclosures for 7 years: except, etc. Tenants for life, etc. impowered to cut down and carry away trees, bushes, etc. Power for the Aa VOL. XXXI.



Anno decimo septimo GEORGII III. C. 13. [1777. vicars of Ensield, etc. and Hadley incumbents, to grant leases. How rents shall be paid on death, cession, or resignation. Clause for protection of the woods. Penalty for destroying sences. Method of recovering penalties. How justices to proceed for conviction of offenders. Form of conviction. Hadley parish to be within the jurisdiction of the ordinary. Certain encoachments enfranchised. For ascertaining tenures. Six parts to be made of the survey, and to be certified by the speaker of the house of commens: to be kept in the parish chests, Trinity College, and in the duchy office. Persons aggrieved may appeal to the quarter sessions; whose determination shall be final. Limitation of actions. General issue may be pleaded to actions. Saving the rights of the New River company. General saving of rights. Publick act.

#### CAP. XVIII.

An all for enabling the mayor, aldermen, and commons, of the city of London, to purchase the present tolls and duties payable for navigating upon the river Thames, westward of London-bridge, within the liberties of the city of London, and for a laying a small toll in lieu thercof, for the purpose of more effectually completing the said navigation; and for other purposes.

Preamble. Act 14 Geo. 3. recited.

HEREAS by an act of parliament, made in the fourteenth year of the reign of his present Majesty, intituled, An act more effectually to improve and complete the navigation of the river Thames, westward of London-bridge, within the liberties of the city of London, and to prevent any vessel or barge from being moored in Toplow-mill stream, in the county of Bucks; the mayor, aldermen, and commons of the city of London, in common council afsembled, were and are authorised and imposvered to improve and complete the navigation of the faid river, between the city of London and the city stone above Staines-bridge, in the county of Middlesex: and whereas the mayor, aldermen, and commons, of the city of London, have proceeded to carry the faid att into execution, and several new fary and expensive works have been performed within their jurifdiction, between the city of London and the city stone above Stainsbridge, whereby the navigation bath been greatly improved, the paffage for boats and barges rendered more expeditious, and the expences of navigating considerably reduced: and whereas the mayor, aldermen, and commons, of the city of London, have already applied near ten, thousand pounds in this service, out of their own estates, but find that, 2.0: with fianding fo large a fum has been expended by them, other works, very necessary for completing the improvement of the faid navigation, Yill remain to be done, the probable expence of which will, as the mayor, ullermen, and commons, of the city of London, have been informed, amount to the additional sum of near eight thousand pounds, over and above a confiderable expense that will annually be incurred in repairing and supporting the works: and whereas the mayor, aldermen, and commons, of the city of London, are defirous of being enabled to purchase the several tolls and duties or other sums of money now collected and taken for barges and other veffels navigating, and for borfes drawing such barges and vessels, within the limits before mentioned; and protose that the faid tells and duties, or other Jums of money fo purchaied by them, shall ceife and be no longer paid; as they apprehend, from the circumstances and nature of the faid tolls and duties, and



#### 1777.] Anno decimo septimo Georgii III. c. 18.

other sums of money, that they are attended with great inconveniences to the navigation, and to the publick: and the faid mayor, aldermen, and commons, in order to carry the good purposes of the Jaid former act into execution, and to enable them to purchase the present tolls and duties, and payments, and to complete the faid navigation, are also desirous that they should be imposvered to lay a small tall, in lieu of the present talls and duties, and payments, upon the several barges, boats, and other vessel, navigating the said river, between London-bridge, and the city Stone above Staines-bridge, according to the quantity of tonnage: but, as the same cannot be done without the aid and authority of parliament, may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be law- Power given ful for the faid mayor, aldermen, and commons, in common to the mayor, council affembled, and they are hereby impowered to treat and etc. in comagree with the owners and occupiers of, and other persons in-mon council terested in, the several tolls and duties and payments, now col- affembled, to lected and taken for barges and other vessels navigating, and for old toils and horses drawing such barges and vessels, between the city of Lon-duties, etc. don and the city stone above Staines-bridge, for the purchase of fuch tolls and duties; and with the owners and occupiers of, and other persons interested in, such lands or grounds as they shall judge fit to be purchased for the purpose of erecting toll-houses and toll-gates, or other the purposes of this act.

II. And be it further enacted by the authority aforesaid, That Bodies poliit shall and may be lawful to and for all bodies politick, corpo-tick, trusters, rate, or collegiate, or corporations aggregate or sole, trustees and ed to tell and feoffees in trust, guardians, and committees for lunaticks and convey tolls, idiots, executors, administrators, and guardians whatsoever, not duties, and only for or on behalf of themselves, their heirs and successors, lands. but also for and on behalf of their Cestuique trusts, whether infants or issue unborn, lunaticks, idiots, semes-covert, or other persons whatsoever; and to and for all femes-covert who are or thall be feized in their own right, and to and for all and every person and persons whomsoever who are or shall be seized or possessed of, or interested in, any of the tolls or duties or payments, now collected and taken, for barges and other veffels, navigating, or for horses drawing such barges and vessels, within the limits herein-before mentioned, or any lands or grounds, which by the faid mayor, aldermen, and commons, in common council affembled, or committee to be by them appointed, shall be thought necessary to be purchased for the purposes of this act, to fell and convey all or any fuch tolls, duties, lands, and grounds, or any part thereof, to the faid mayor and commonalty, and citizens; and that all contracts, agreements, bar- Contracts to gains, fales, and conveyances, which shall be made by such be valid. persons as aforesaid, shall be good and valid in law, to all intents and purposes, not only to convey the estate and interest of the person and persons conveying, but also to convey all right, estate.



339

If parties refule to treat, etc. a jury to be summoned.

Anno decimo septimo GEORGII III. C. 18. [1777. interest, use, property, claim, and demand whatsoever, of their several and respective Cestuique trusts, whether infants or issus unborn, lunaticks, idiots, femes-covert, or other persons whomfoever, and all claiming, or to claim, by, from, or under them; any law, statute, usage, or any other matter or thing whatsoever, to the contrary thereof in any-wife notwithstanding: and that all fuch persons so conveying as aforesaid, are and shall be indemnified for what they shall do, by virtue of, or in pursuance of this act, notwithstanding any omission or mistake of matter or form whatsoever. And if it shall happen that any person or perfons, body or bodies politick, corporate or collegiate, or other person or persons seised or possessed of, or interested in, any such tolls, duties, lands, or grounds, as aforesaid, shall refuse to treat or agree for the sale and conveyance of their respective estates and interests therein, with the said mayor, aldermen, and commons, in common council affembled, or with any person or persons authorized by them, or shall not produce and evince a clear title to the premises, they are in possession of, or to the interest they claim, to the fatisfaction of the faid mayor, aldermen, and commons, in common council affembled, or to the person or persons fo authorised by them; then, and in every such case, it shall and may be lawful to and for the court of mayor and aldermen of the faid city, to be holden in the outer chamber of the Guildhall of the faid city, according to the custom of the faid city; and the faid court is hereby impowered and authorifed, to iffue a warrant or warrants, precept or precepts, directed to the theriffs of the city of London, or the theriff of the county of Middlesex, or the theriff of the county of Surry, as the case shall require, who are, and each of them is hereby authorised, directed, and required, accordingly, to impanel and return a competent number of substantial and difinterested persons qualified to serve on juries, not less than forty eight, nor more than seventy-two, and out of fuch perfons to to be impannelled, fummoned, and returned, a jury of twelve persons shall be drawn by some person to be by the said court appointed, in such manner as juries for the trial of issues joined in his Majesty's courts at Westminster, (by an act, made in the third year of the reign of his late majesty King George the Second, intituled, An act for the better regulation of juries,) are directed to be drawn; which persons so to be impannelled, furnmoned, and returned, as aforefaid, are hereby required to come and appear before the faid court of mayor and aldermen, if the tolls, duties, lands, or grounds in question, are collected and taken, or lie in the faid city of London, or the liberties thereof, at fuch time and place, as in fuch warrant or warrants, precept or precepts, shall be directed and appointed; and if the tolls, duties, lands or grounds in question, are collected and taken, or lie in either of the counties of Middlefex, or Surry, to come and appear before the justices of the peace for the county where the tolls or duties are collected, or the lands or grounds in question lie, at some general quarter sessions of the peace, to be holden for the same county, or some adjournment thereof; and



#### 1777.] Anno decimo septimo Georgii III c. 18.

to attend the said courts respectively, from day to day, until discharged by the said courts respectively; and all parties con- Jurymen may cerned thall and may have their lawful challenges against any of be challenged, the faid jurymen, but shall not be at liberty to challenge the array: and the faid court of mayor and aldermen, or justices as aforesaid, respectively, are hereby authorised and impowered, by precept or precepts, from time to time, as occasion shall require, to call before them all and every person and persons whomsoever, who shall be thought proper or necessary to be examined as a witness or witnesses, on their oath or oaths, touching and Witnesses may concerning the premises: and the said court of mayor and alder- be examined men, or justices, as aforesaid, respectively, if they think fit, shall on oath. and may likewise authorise the said jury to view the place or places in question, in such manner as they shall direct; and the faid court of mayor and aldermen, or justices, as aforesaid, refpectively, shall have power to adjourn such meeting from day to day, as occasion shall require, and to command such jury, Jury to enwitnesses, and parties, to attend until all such affairs, for which quire into the they were fummoned, shall be concluded; and the said jury, value of the upon their oaths (which oaths, as also the oaths to such person lands, etc. in or persons as shall be called upon to give evidence, the said question. court of mayor and aldermen, or justices, as aforesaid, respectively, are hereby impowered and required to administer) shall enquire of the value of such tolls, duties, lands, and grounds, and of the respective estate and interest of every person seized or possessed thereof, or interested therein, or of or in any part thereof, and shall affess and award the sum or sums to be paid to every such person or persons, for the purchase of such their estates and interests; and the said court of mayor and aldermen, or justices, as aforesaid, respectively, shall and may give judgement for such fum or fums of money, so to be affessed; which said verdict or verdict of verdicts, and the faid judgement, decree, or determination there- Jury, etc. to upon, notice in writing being given to the person or persons in be final. terested, or claiming so to be, at least fourteen days before the time of such assessment, declaring the time and place of the meeting of the faid court of mayor and aldermen, or justices, as aforesaid, respectively, and jury, by leaving such notice at the dwelling-house of such person or persons, or at his, her, or their usual place or places of abode, or with some lessee, tenant, or occupier of some of the faid tolls, duties, lands or grounds intended to be valued and affessed, in case such party cannot otherwife be found out to be ferved with fuch notice) thall be binding and conclusive, to all intents and purposes whatsoever, against all and every person and persons, bodies politick and corporate, claiming any estate, right, title, trust, use or interest, in, to, or our of the faid tolls, duties, lands or grounds, either in possession. revertion, remainder, or expectancy, as well infants and iffue unborn, lunaticks, idiots, and femes-covert, and persons under any other legal incapacity or disability, as all other cestuique trusts, his, her, and their heirs, successors, executors, and administrators, and against all other persons whomsoever; and the Aa3

faid



#### Anno decimo septimo Georgii III. c. 18. [1777-

faid verdicts, judgements, and decrees, and all other proceedings of the faid court of mayor and aldermen, or justices as aforesaid, respectively, and juries, so to be made, given, and pronounced, as aforesaid, shall be fairly written on parchment, and signed and fealed by the mayor for the time being, or by the justices prefent, or the major part of them.

Affignments and conveyances to be made to the Mayor, etc.

III. And it is hereby further enacted and declared, That upon payment of such sum or sums of money, so to be awarded or adjudged, the person or persons, to whom the same shall be so awarded for the purchase of the said tolls, duties, lands or grounds, or for the purchase of any estate or interest therein, shall make and execute, or procure to be made and executed, good, valid, and legal conveyances, affigrments, and affurances in

the law, to the faid mayor and commonalty, and citizens, of the said tolls, duties, lands and grounds, or of such estate or interest for which such sum or sums of money shall be so awarded, and shall procure all necessary parties to execute such conveyances, affignments, and affurances, and thall do all acts, matters, and things, necessary and requisite to make a good,

clear, and perfect title, to the faid mayor and commonalty, and citizens; and fuch conveyances, affignments, and affurances, shall contain all such reasonable and usual covenants as shall, on

the part of the faid mayor and commonalty, and citizens, be If persons can- required: and in case such person or persons, to whom such sum

or fums of money shall be so awarded, as aforesaid, shall not be able to evince their title to the premises, to the satisfaction of the faid mayor, aldermen, and commons, in common council affem-

bled, and to make, or procure to be made, good valid, and legal conveyances thereof, to the faid mayor and commonalty, and citizens, or shall refuse so to do, being thereto required, and

fuch fum or fums to affested and awarded as aforesaid, being produced and tendered to be paid to him, her, or them, on their

making fuch title, and executing, or procuring to be executed, fuch conveyances, assignments, or assurances, as aforesaid; or in

case such person or persons to whom such sum and sums of city or county money shall be so awarded as aforesaid, cannot be found in the

lands, etc. lie, city or county where the tolls, duties, lands or grounds, for which the faid sums shall be so assessed or awarded, are collected

and taken, or lie; or in case, that by reason of disputes, depending in any court of law or equity, or for defect of evidence, it

shall not appear to the said mayor, aldermen, and commons. in common council affembled, what person or persons is or are

the purchase- intitled to the premises in question; then, and in every such case as aforesaid, it thall and may be lawful, to and for the said

lodged in the court of mayor and aldermen, to order the faid fum or fums, fo affested and awarded as aforesaid, as the value of, and purchase-

money for, the faid tolls, duti s, lands and grounds respectively, to be paid into the bank of England, for the use of the parties

interested in the said premises, to be paid to them, and every of them, according to their respective estates and interest therein,

at fuch time as the faid court of mayor and aldermen shall order and

not evince a clear title 10 the premiles,

or cannot he found in the where the

money to be bank.



### 1777.] Anno decimo septimo Georgii III. c. 18.

and direct; and the cashier or cashiers of the bank of England. who shall receive such sum or sums, is and are hereby required to give a receipt or receipts for fuch fum or fums, mentioning and specifying for what and for whose use the same is or are received, to such person as shall pay any such sum or sums into the bank as aforefaid.

IV. And be it further enacted by the authority aforesaid, verdicts and That all such verdicts, judgements, sentences, decrees, orders, decrees of the and other proceedings of the faid court of mayor and aldermen court of alderor justices as aforesaid, respectively, and juries, as relate to, or men, etc. to.
concern any tolls, duties, lands or grounds, so to be purchased among the as aforesaid; and all receipts which the said cathier or cashiers of records of the the bank thall give for any fum or fums of money, paid into the faid court; bank in consequence of any such verdict and judgement, shall be entered among the records of the laid court of mayor and aldermen, or general quarter sessions of the peace for the said county of Middlesex, or the said county of Surry, as the case shall happen to be; and the said verdicts, judgements, sentences. decrees, and orders, and other proceedings, thall be deemed and taken to be records, to all intents and purposes whatsoever, and the same, or true copies thereof, shall be deemed and taken to be good and effectual evidence and proof, in any court or courts and to be of law or equity whatfoever; and all perfons shall and may have deemed good recourse to the same gratis, and take copies thereof, paying for evidence. every copy, not exceeding two hundred words, fixpence, and for proportionably for any greater or leffer number of words: and After fuch immediately after such verdicts, judgements, sentences, decrees, verdicts, etc. orders, and other proceedings of the faid court of mayor and the tolls, dualdermen, or justices aforesaid respectively, and juries, and of ties, and lands fuch receipt or receipts of the said cashier or cashiers as aforesaid, ed, vested in all the estate, right, title, interest, use, trust, property, claim the mayor and and demand, in law and equipment of the person or persons for citizens. whose use such money shall be paid, in, to, and out of the said tolls, duties, lands and grounds to be purchased as aforesaid, shall vest in the said mayor and commonalty, and citizens, and they shall be deemed in law to be in the actual possession thereof, to all intents and purposes whatsoever, as fully and effectually, as if every person, having any estate in the premises, had actually conveyed the same by lease and release, bargain and sale inrolled, grant, feoffment with livery and feifin, fine and recovery, or any other legal conveyance whatfoever; and fuch payments shall not only bar all right, title, interest, claim, and demand, of the person or persons to whose use such payments were made, but also shall extend to, and be deemed and construed to bar the dower and dowers of the wife and wives of fuch person and perions, and all estates tail, possession, reversion, or remainder, and all rights and titles, in respect of any such estate tail, against the issue and issues of such person and persons, and every person claiming under them, as effectually as a fine or recovery would do, it levied or suffered by the proper parties in due form of law.

V. Pro.

334

Court of aldermen may invelt purchale-money in the funds on governecc.

Persons intitled to the prefits of the recover inteof debt, etc.

Feme-covert feifed in feefimple, etc. to have her purchale-money paid to whom the shall nominate.

Anno decimo septimo Georgii III. c. 18. [1777.

V. Provided always, That it shall and may be lawful for the said court of mayor and aldermen, after such payment into the bank, and entry of the receipt aforesaid, at the petition of any person or persons in possession of such tolls, duties, lands or grounds, to place out or invest, or to cause to be placed out or ment fecurity, invested, such sum or sums of money, or any part thereof, in fome of the publick funds, or on government fecurity, at interest, in the name or names of any person or persons authorifed and appointed by the faid court of mayor and aldermen for that purpole, in trust, to transfer and assign the same to the perfon or persons to whom the premises belong, on their executing proper conveyances thereof, and in the mean time in trust, to pay the interest and dividends arising therefrom to such person or persons as was or were in possession of the said premises, at the time of the faid payment into the bank.

VI. Provided always, and it is hereby enacted, That all and every person or persons who would be intitled to recover the premises, may mesne profits of the premises, against the person or persons in possession, in case the same had not been so conveyed to or vested rest by action in the said mayor and commonalty, and citizens, as aforesaid, shall be intitled to recover the sum or sums to arise from such interests and dividends as aforesaid, by action of debt, or otherwife, against the person or persons who shall receive the same; and the faid court of mayor and aldermen are hereby impowered and authorised to make such order as aforesaid on the bank, for the payment of such sum or sums of money, or any part thereof, as shall be necessary, in order to the same being so invested in publick fecurities: and the faid mayor and commonalty, and citizens, shall be quieted in the possession of the premises, for which fuch money thall be so paid as aforesaid, and shall not be answerable or accountable, in any court of law or equity, for the money so deposited and placed out as aforesaid, any otherwise than according to the purport and true meaning of this act.

VII. And be it further enacted, That in case any femecovert is or shall be seised in fee-simple, or in tail, general or special, of any such tolls, duties, lands or grounds, so to be purchased as aforesaid, by the said mayor and commonalty, and citizens, or of any interest in the same, to her separate use, free from the controul or intermeddling of her husband, the purchase-money, arising from the sale of such estate or interest of fuch feme-covert, on the conveyance of fuch estate or interest to the faid mayor and commonalty, and citizens, shall be paid either to the husband of such feme-covert, at her request, or to such person or persons as she shall, by writing under her hand, nominate to receive the fame, in trust, to be re-invested in lands, tenements, or hereditaments, to be conveyed and fetiled for fuch use, estate, and interest, as the said seme-covert had in the premifes fo purchased by the said mayor and commonalty, and citizens.

How purchase-VIII. And be it further enacted by the authority aforefaid, money, in certain cases, That the principal money arising from the sale of any toils,



# 1777.] Anno decimo septimo Georgii III. c. 18.

duties, lands or grounds, which shall be purchased for any of shall be difthe purposes of this act, of or from any body corporate or col-posed ot. legiate, corporation aggregate or sole, feoffees in truft, guardians, committees, or other trustees, or from any seme-covert, shall be paid to such persons as they shall respectively nominate to receive the same, in trust, with all convenient speed then afterwards, to be re-invested in the purchase of other lands, tenements, or hereditaments, to be conveyed and fettled to and upon, and subject to the like uses, trusts, limitations, remainders, and contingencies, as the tolls, duties, lands and grounds, which shall be purchased from them respectively, by the said mayor and commonalty, and citizens, as aforesaid, were respectively settled, limited, or assured, at the time of such purchasing of the same, or so many thereof as at the time of making such conveyances and fettlements shall be existing and capable of taking effect.

1X. And be it further enacted by the authority aforesaid, That Bargains and the conveyance of any fuch estate or interest, of any feme-covert, fales to have to the faid mayor and commonalty, and citizens, or any person fines or recoor persons in trust for them, by bargain and sale, acknowledged veries. by fuch feme-covert, and inrolled in the court of hullings of the faid city, according to the custom of the said city, within six calendar months after the making thereof, shall as effectually and absolutely convey the estate and interest of such feme-covert in the premises, as any fine or fines, recovery or recoveries, would or could do, if levied or suffered thereof, in due form of law. And further, that all bargains and sales whatsoever, to be made of any such tolls, duties, lands and grounds, as shall be purchased by the said mayor and commonalty, and citizens, as aforelaid, shall have the force, effect, and operation in law, to all intents and purposes, which any fine or fines, recovery or

recoveries whatfoever, would have, if levied or suffered by the bargainer or bargainers, or any person or persons seized of any

estate in the premises, in trust for, or to the use of such bargainer or bargainers, in any legal manner or form whatfoever.

X. And be it further enacted by the authority aforefaid, That Persons inteall and every person and persons whosoever, having any right, rested in the title, interest, use, property, claim, or demand whatsoever, whe- enter a memother in possession, reversion, remainder, or expectancy, or other-rial of their wife, in, to, or out of, any tolls, duties, lands, or grounds, right within which by virtue of this act thall be purchased by and conveyed, five years, or mentioned or intended to be conveyed, to the faid mayor and commonalty, and citizens, by any fuch bargain and fale as aforesaid, thall, within the space of five years, to be computed from the date of the inrolment of such bargain and sale, enter a memorial of such their right, title, interest, use, property, claim, and demand, in a book to be for that purpole prepared and kept in a book to by the town-clerk of the faid city of London, or the clerk of the be prepared peace for the county respectively; which book the said town-by the townclerk, and clerk of the peace respectively, are hereby required clerk, etc. to prepare and keep accordingly; and for which entry they thall be intitled to fuch fee, and no other, as the register of the county

Anno decimo septimo Georgii III. c. 18. [1777.

barred of all fuch right.

of Middlesex is by law intitled to, for the registry of a memorial or be for ever containing the same number of words; and all and every person or persons whosoever, not entering such right, claim, and demand, within such time, and in such manner as aforesaid, or having fo entered the same, and not prosecuting such their right, claim, or demand, with effect, within the space of five years, to be computed from the time of such entry, shall be for ever barred of all right, title, use, equity, property, claim, and demand whatsoever, whether in possession, reversion, remainder, or expectancy, or otherwise, in, to, or upon, or out of the said premises, and every part thereof; and the said mayor and commonalty, and citizens, and those claiming by, from, or under them, shall be quieted in the possession of such premises, any law, statute, usage, matter, or thing whatsoever, to the contrary notwithstanding.

Persons so barred may bring actions of debt against the purchasemoney.

XI. Provided nevertheless, That any person or persons, barred of any right, title, estate, interest, claim, or demand whatsoever, in, to, or out of the faid tolls, duties, lands and grounds, by virtue the receiver of of this act, shall be at liberty to bring any action or actions of debt, for money had and received to his or their use, against any person or persons, or the legal representative of any person or persons, who received the purchase-money arising from such fale of the said tolls, duties, lands, or grounds aforesaid; and that in every such case the plaintiff or plaintiffs, on proof of such title as would have enabled them to recover fuch tolls, duties, lands, or grounds, or any part thereof, or any estate or interest in the same, shall recover the said purchase-money, or so much thereof as shall be equivalent to their interest in the said premises, together with such interest as shall be equivalent to the mesne profits of the premises which they would have been intitled to recover, in case this act had not been made.

Mortgagees, on tender of principal and interest, to convey, etc.

XII. And be it further enacted, That all and every person and persons, who shall have any mortgage or mortgages on such tolls, duties, lands, or grounds, not being in possession thereof by virtue of such mortgage or mortgages, shall, on the tender of the principal money, and interest due thereon, by the said mayor, aldermen, and commons, in common council assembled, or by fuch person or persons as they shall appoint, immediately affign and transfer such mortgage and mortgages to the faid mayor and commonalty, and citizens, or to fuch person or persons, as they shall appoint, in trust for them; and in case fuch mortgagee or mortgagees shall have notice in writing, from the faid mayor, aldermen, and commons, in common council affembled, that they will pay off and discharge the principal and interest which shall be due on the said mortgage or mortgages, at the end or expiration of fix calendar months, to be computed from fuch notice given; and at the end of the faid fix calendar months, in case payment, or a legal tender shall be made of the principal and interest to due, and such mortgagee or mortgagees, or those claiming under, or in trust for him, her, or them, shall refuse or neglect effectually to convey and assign his, her, or

On refufal, after fix months notice, interest to ceale.

their



#### 1777.] Anno decimo septimo Georgii III. c. 18.

their interest in the premises, to the said mayor and commonalty, and citizens, or fuch person or persons as they shall appoint, in trust for them, that then immediately after such payment or tender made, all interest on every such mortgage shall cease and determine.

XIII. And be it further enacted, That upon payment of the On payment principal money and interest, due on any mortgage, as aforesaid, of mortgageinto the bank, at the end of fix calendar months from fuch no- the bank, pretice as aforesaid, for the use of the mortgagee or mortgagees, the mises to vest cashier or cashiers of the bank shall give a receipt or receipts for in the city. the faid money, in like manner as is herein-before directed in cafes of other payments into the bank; and thereupon all the estate, right, title, interest, use, trust, property, claim, and demand, of the faid mortgagee or mortgagees, and of every person or perfons in trust tor, or claiming under, him, her, or them, shall vest in the faid mayor and commonalty, and citizens, and they shall be deemed to be in the actual possession of the premises comprized in such mortgage or mortgages, to all intents and pur-

poles whatloever.

XIV. And be it further enacted by the authority aforesaid, Expences of That in all cases where any verdict as aforesaid shall be given juries how to for a greater sum than shall have been offered by or on the be- be defrayed. half of the mayor and commonalty, and citizens, of the city of London, or in case no such offer shall have been made before the fummoning of any fuch jury, that then all the expences of fummoning fuch jury, and the witnesses, and of taking such inquest, shall be paid by the mayor and commonalty, and citizens, of the city of London: but if any such verdict shall be given for no more, or for a less sum than shall have been so previously offered by or on the behalf of the mayor and commonalty, and citizens, of the city of London, then, and in every fuch case, such expences shall be defrayed by the owners of the persons interested in fuch tolls, duties, lands, or grounds in question; and such expences thail be deducted and taken out of the monies to be affessed and adjudged, and such deduction shall be deemed and taken as payment of fo much thereof.

XV. And he it further enacted by the authority aforesaid, Fines on she-That the faid court of mayor and aldermen, or justices, as afore- riffs, jurors, faid, respectively, shall have power, from time to time, to im-their duty: pose any reasonable fine, not exceeding the sum of ten pounds, on such sheriff or sheriffs, or their deputy or deputies, bailiffs or agents, respectively, making default in the premises; and on any of the persons who shall be summoned and returned on any fuch jury or juries, who thall not appear, or who shall refuse to be fworn on the faid jury or juries, or being fo fworn thall not give his or their verdict; and also on any person or persons who thall be summoned to give evidence touching any the matters aforesaid, and shall not attend, or shall refuse to be sworn, or who being fworn shall refuse to give his, her, or their evidence; also on any other person or persons who shall in any other manner wilfully neglect his or their duty in the premifes, con-

Anno decimo septimo Georgii III. c. 18.

fale.

Penalty on giving false evidence.

The present tolls and duties to ceale, when velted in the mayor, etc.

Common council impowered to let, fell, etc. any ground not necessary for the purpofes of this act.

New tolls to be taken after May 1, 1777.

may be levied trary to the true intent and meaning of this act: and from time by diffress and to time to levy such fine or fines, by order of the said court of mayor and aldermen, or justices, as aforesaid, respectively, by distress and sale of the offender's goods, together with the reasonable charges of every such distress and sale, returning the overplus (if any) to the owner or owners.

> XVI. And be it further enacted, That all and every person or persons, who, in any examination to be taken by virtue of this act, thall give false evidence before the said court of mayor and aldermen, or before any justices of the peace, shall and may be profecuted for the same; and upon conviction thereof, shall be subject to such punishments and disqualifications as any person or persons would be subject to for wilful and corrupt perjury, by any of the laws or statutes of this realm.

> XVII. And be it further enacted by the authority aforesaid, That immediately after the said tolls and duties, and payments, so to be purchased, shall be respectively conveyed to, or otherwife vested in the said mayor and commonalty, and citizens, by virtue, or in pursuance of this act, the same shall respectively cease, determine, and be no longer paid or payable; any law, statute, custom, or prescription, to the contrary hereof in any wife notwithstanding.

> XVIII. And whereas, by reason of the purchases which the said mayor and commonalty, and citizens, are hereby impowered to make, they may happen to be possessed of some piece or pieces of ground, over and above what may be necessary for any of the purposes of this act; be it further enacted, That it shall and may be lawful to and for the faid mayor, aldermen, and commons, in common council Membled, to let, fell, or dispose of, any such piece or pieces of ground, either together or in parcels, as they shall think most advantageous and convenies, to fuch person or persons as shall be willing to contract and ree for or purchase the same.

> XIX. And be it further enacted by the authority aforefaid, That, in confideration of the great charges and expences the faid mayor, aldermen, and commons, will be at in improving and completing the faid navigation, and for keeping the works in repair, and in purchasing the tolls and duties now collected and taken for barges and other vessels navigating, and for horses drawing such barges and vessels, within the limits herein-before mentioned, it shall and may be lawful to and for the mayor, aldermen, and commons, of the city of London, in common council affembled, and they are hereby authorized and impowered, from time to time, and at all times, from and after the first day of May now next enfuing, to take, demand, recover, and receive, or cause to be taken, demanded, recovered, and received, for all barges, and other veffels whatfoever, which shall be navigated upon the faid river Thames, or any part thereof, between London-bridge and the city stone above Staines-bridge, (except as herein-after is mentioned) fuch fum and fums of money, in the nature of a toll or duty, tolls or duties, as the faid mayor, aldermen, and commons, in common council affembled, upon

> > due



## 1777: Anno decimo septimo Georgii III. c. 18.

due consideration of the expences of improving and completing the faid navigation, and purchasing the tolls and duties now collected and taken for barges and other vessels navigating, and for horses drawing such barges and vessels, within the limits aforefaid, shall, from time to time, think proper, not exceeding the tolls and duties herein-after mentioned; (that is to fay,

For all barges and vessels navigated on the faid river westward of London-bridge, to Strand on the Green, or Brentford, one halfpenny per ton; to Isleworth, or Richmond, one penny per ton; to Twickenbam, or Teddington, one penny halfpenny per ton; to Kingston, or Hampton Wick, two-pence per ton; to Ditton, Hampton-court, Moulsey, or Hampton, two pence halfpenny per ton; to Sunbury, Walton, Hawford, Shepperton, or Weybridge, three-pence per ton; to Chertley, or Laleham, three-pence halfpenny per ton; to Staines, and upwards, four-pence per ton:

Which said tells and duties shall be paid to such person or per- To whom the fons, at such place or places near to the said river Thames, in tolls shall be fuch manner, and under fuch regulations, as the faid mayor, al-paid. dermen, and commons, in common council affembled, thall from time to time direct and appoint: and in case of denial or Method of neglect of payment of any fuch toll or duty, tolls or duties, or recovering any part or parts thereof, on demand, to such person or persons tolls. as aforesaid, the said mayor, aldermen, and commons, in common council assembled, may sue for the same by action of debt, or upon the case, in the name of the mayor and commonalty, and citizens of the city of London, in any court of record; or the person or persons to whom the said tolls or duties ought to have been paid, may, and he and they is and are hereby impowered to seize and detain such barge or vessel, for or in refpect whereof any toll or duty, tolls or duties, ought to be paid, until payment thereof, together with reasonable charges for such feizure and detention; and if the same shall not be redeemed within four days after the taking thereof, the same may be appraised and sold, as the law directs in case of distress for rent.

XX. Provided always, and be it further enacted by the au- Proviso for thority aforesaid, That if all the tolls and duties, now collected deducting the and taken for barges and other vessels navigating, and for present tolls horses drawing such barges and vessels, within the limits herein- tolls, in case before mentioned, shall not cease and be determined by virtue they shall subor in pursuance of this act, before the said first day of May now sist after the next ensuing, that then, and in such case, all and every person new tolls be-and persons who, after the said first day of May now next ensuing, shall pay all or any of such tolls or duties for any barge or barges, or other vessel or vessels navigating, or for horses drawing fuch barge or barges, vessel or vessels, within the limits aforefaid, after the faid first day of May now next ensuing, or any of them, shall and may deduct out of the tolls and duties to be made payable under, or by virtue of this act, all such sum and Gardively shall pay for or fums of money, as he, the, and

340

Anno décimo septimo Georgii III. C. 18. [1777. in respect of the tolls and duties now collected and taken as aforesaid, or any of them; which sum and sums of money shall be accordingly allowed to fuch person and persons respectively, any thing herein contained to the contrary hereof in any wife

Owners of vellers to put their names on the outfides thereof.

Vestels to be marked.

Offenders to forfeit 403. each.

levied by diftre's.

notwithstanding. XXI. And it is hereby further enacted by the authority aforefaid, That all and every owner and owners of any barge or other vessel passing on the said river Thames, between the limits aforesaid, shall, at his, her, or their own expence, cause his, her, or their name or names to be fet in legible painted white capital letters, of the length of fix inches, and the breadth of one inch, on each of the outsides of every such barge or other vessel, higher than the same shall fink into the water when full loaded, and cause the same to be renewed or restored so often as the same shall be worn out or defaced in part, or in the whole; and shall also permeasured and mit and suffer every such barge or other vessel to be measured and gauged, and marked with the number of the tons of her burthen, at the expence of the mayor and commonalty, and citizens, of the city of London, whenever it shall be required by them, or fuch person or persons as shall be appointed by them for that purpose; which number of tons so marked shall be accounted the tonnage of fuch barge or other veffel, and toll paid for it accordingly: and all and every such owner and owners as shall refuse or neglect to put his, her, or their name or names, on any such barge or other vessel, in manner aforesaid; or shall alter, deface, erase, or destroy, any letter, describing any such name or tonnage as aforesaid; or shall navigate, or cause or suffer to be navigated, upon the faid river, within the limits aforesaid, any fuch barge or other vessel, not having the name or names of the owner or owners thereof, and toninge, fet thereon in legible painted white capital letters of the dimensions aforesaid, higher than the same shall fink into the water when full loaded; or shall refuse to have his, her, or their barge, or other vessel, meafured, gauged, or marked, as aforesaid, he, she, and they shall, for every fuch offence respectively, forfeit and pay to the said mayor, commonalty, and citizens, or their affigns, the fum of which may be forty thillings; which faid forfeiture and forfeitures thall and may be recovered in a fummary way, by information or complaint, to be upon oath made to the mayor or any of the aldermen of the city of London, for the time being, or to any one of his Majesty's justices of the peace for the county of Middlesex, or the county of Surry, (which faid oath they are hereby respectively impowered and required to administer) and be levied by distress and fale of the offender's goods and chattels, by warrant under the hand and feal of fuch mayor, alderman, or justice of the peace, and shall go and be applied in the manner following; (that is to fay,) one moiety to the informer or informers, complainant or complainants; and the other moiety to and for fuch uses and purposes as the tolls and duties, by this act granted and made payable, are herein-after directed to be paid and applied.

XXII. And



# 1777.] Anno decimo septimo Georgii III. c. 18.

XXII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said mayor, al- Power to dermen, and commons, in common council affembled, and they erect tollare hereby authorifed and impowered, to cause any toll-houses gates, etc. and toll-gates to be erected, built, and made, upon the lands or grounds so to be purchased by them as aforesaid, or any of them, or any part or parts thereof, for the purpose of collecting the tolls and duties to be made payable in pursuance of this act.

XXIII. Provided always, and be it enacted, That nothing No toll gates in this act contained shall extend, or be construed to extend, to to be erected authorise or impower the said mayor and commonalty, and ci- in certain tizens, to compel or oblige the owner or proprietor, owners or places. proprietors, of any garden, orchard, yard, park, paddock, or planted avenue to any house, which hath been respectively used as fuch fix calendar months before the passing of this act, or the owner or proprietor, owners or proprietors, of any messuage or tenement, erected or built, or begun to be erected or built, fix calendar months before the passing of this act, to pull down, lett, fell, or convey, fuch messuage, tenement, garden, orchard, yard, park, paddock, or avenue, or any part thereof, to the faid mayor and commonalty, and citizens, or any other person or persons; nor shall any thing in this act contained impower the said mayor and commonalty, and citizens, to erect any toll-gate or toll-house upon any garden, orchard, park, paddock, or planted avenue to any house, or upon any part of the lands or grounds lying between the garden of his grace the duke of Montague, fituate at Richmond, and the road leading from the hamlet of Ham to Twickenham-ferry; or upon a piece of ground granted by the crown to lord Cholmondely, and now in possession of the right honourable Georgiana countess dowager Cowper; any thing herein contained to the contrary notwithstanding.

XXIV. Provided also, and it is hereby enacted, That it shall Certain places not be lawful for the said mayor, aldermen, and commons, or in which horses thall any other person or persons, to make use of horses for towing of not be used boats, barges, or other vessels, on the Surry side of the said river, for towing between his Majesty's barge-house, at Kew, and the scite of his vessels, etc. Majesty's ancient palace of Richmond, in the county of Surry; nor upon the Middlesex side of the said river from the town of Isleworth, to the upper end of the land now in the occupation of the earl of Buckinghamsbire, in the parish of Twickenham; without leave of the respective proprietors of the land on the said Middlesex side of the river; any thing in this act, or in an act of the fourteenth year of the reign of his present Majesty, contained

to the contrary notwithstanding.

XXV. And whereas the King's most excellent majesty bath been graciously pleased, for the conveniency of the inhabitants of Richmond and Kew, and the towns and villages adjacent, to cause a commodious publick footwalk to be made along the fide of the river from the late borfe-ferry at Kew, to the scite of his Majesty's ancient palace of Richmond: and whereas there is also a commodious publick foot-waik

84Z,

Horfes may be used for

sowing boats,

etc. from Kew

to Richmond,

If a new towing-path shall

be made.

Anno decimo sepumo Georgii III. C. 18. [1777

ment the faid river, extending the whole length of the faite of the fame palace, and part thereof, which, if made use of as a towing-path by borfes, would greatly injure the faid foot-walks, and render the fame dangerous to passengers walking thereon; and as it may be of more publick utility to have barges towed by horfes rather than by men; it is therefore also provided and enacted by the authority aforesaid. That if the said mayor, aldermen, and commons, do make, or cause to be made, on the shore of the Surry side of the said river. a proper towing-path for horses, from his Majesty's said bargehouse at Kew, to a place called Water-lane, in Richmond aforesaid. (which towing-path shall not be raised higher the whole extent of the faid foot-walks than is absolutely necessary for horses to tow thereon with fafety in times of spring tides and land floods) and shall also effectually separate the said towing-path by posts and rails, or in any other manner, so as to prevent horses from going upon the faid publick foot-walks; that then, and in fuch case, it shall and may be lawful for the said mayor aldermen. and commons, or any other person or persons navigating boats. barges, and other vessels, between the said barge-house at Kew and Water-lane in Richmond, to make use of horses on such new towing-path, for the purpose of towing such boats, barges, or other vessels, between the said barge-house at Kew and Waterlane in Richmond; any thing herein contained to the contrary in any wife notwithstanding.

XXVI. And it is hereby further enacted, That it shall and

may be lawful to and for the faid mayor, aldermen, and com-

mons, in common council affembled, at any time or times, to

Mayor, aldermen, etc. may appoint receivers or conectors of rolisa

who thall pay the chamberlain's office, and actount aldermen.

On refusal to

Jeffices to en- payment as aforesaid, then, or in any of such cases, it shall be quire into the lawful to or for the mayor of the said city, or one or more judefault.

nominate and appoint such person or persons to be receiver or receivers, collector or collectors, of the faid tolls and duties granted or made payable by this act, as they shall think fit, and from time to time to remove and displace such receiver and receivers, collector and collectors, and to appoint others, as they thall think proper; and all persons by this act liable to pay the foid tolls and duties, or any of them, are hereby required to pay the same to such receiver or receivers, collector or collectors, as aforesaid; and all such receivers and collectors shall respectively the fame into, pay the same into the office of the chamberlain of the said city, and shall also, upon oath, if thereunto required by the said court of mayor and aldermen (which oath the same court are hereby to the court of impowered to administer) from time to time give in a true, exact, and perfect account, in writing, under their pective hands, of all monies which they, and every or any of them, shall to such time have received, paid, and disbursed, by virtue of this act, or by reason or in consequence of their respective offices, for which oath no fee or reward shall be taken: and in account, etc. case any such receiver or receivers, collector or collectors, of the said tolls and duties, or any of them, shall not make and render, or shall refuse to verify upon oath any such account, or to make

stice or justices of the peace for the said city of London, or for the



#### 1777.] Anno decimo septimo Georgii III. c. 18.

faid county of Middlesex, or for the said county of Surry, or any other county, city, or place, as the case shall happen, and such mayor, justice or justices, upon complaint to him or them made, is and are hereby authorised and required to make inquiry concerning such default, as well by confession of the party, as by the testimony of any credible witness or witnesses upon oath, (which oath such mayor, justice or justices, is and are he eby impowered and required to administer without see or reward;) and if any fuch receiver or collector shall be convicted of any of the offences aforesaid, such mayor, justice or justices, shall commit every such offender to his Majesty's gaol of Newgate, or to and commit the common gaol of any county, city, or place, where such of- the offenders fender shall be apprehended, there to remain without bail or till payment mainprize, until he or they shall give or make a true and perfect or compositiaccount and payment as aforefaid, or until he or they shall have compounded for the same with the said mayor, aldermen, and commons, of the city of London, in common council assembled, and paid such composition in such manner as they shall appoint; which composition the said mayor, aldermen, and commons, in common council assembled, are hereby impowered to make and receive, from time to time, if they shall so think fit, in full satisfaction for all money that shall be then due from such person or persons on the faid account.

XXVII. Provided always, That no toll or duty, tolls or duties, Exemptions. shall be paid or payable to, or demanded by, the mayor, aldermen, and commons, of the city of London, or their collector or collectors, by virtue of this act, for any boat or vessel under the burthen of three tons, or for any pleasure-boat; any thing in

this act contained to the contrary thereof in any wife notwithstanding.

XXVIII. And be it further enacted by the authority afore- All monies faid, That all the monies made payable by, or to be recovered raifed by viror received under or by virtue of this act, (except the share and tue of this thares of any informer or informers, complainant or complain- the mayor and ants, of and in any penalty or penalties, forfeiture or forfeitures, commonalty, inflicted or made payable by this act) shall be, and the same are and citizens. ' hereby vested in the said mayor and commonalty, and citizens, of the faid city, and shall be applied to and for the purposes of this act, and the purposes of the said act made and passed in the fourteenth year of the reign of his present Majesty, or some or one of them; and an account of the faid tolls and duties granted by this act, be annually laid before parliament.

XXIX. And for a smuch as the money to be collected by the receipt Common of the tolls or duties to be made payable by virtue or in pursuance of council imthis act, will not be sufficient for the purpose of this act, and of the borrow faid all made and poffed in the fourteenth year of the reign of his pre- 15,0001. fent Majesty, be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the mayor, aldermen, and commons, of the city of London, in common council affembled, and they are hereby impowered, from time to time, to borrow and take up at interest, any sum or sums of money not exceeding

VOL. XXXI.

244

and to affign the tolls as a fecurity.

Anno decimo septimo Georgii III. c. 18. [1777. fifteen thousand pounds, upon the credit of the tolls and duties to be made payable in pursuance of this act; and by any writing or writings, under the common seal of the city of London, to affign the toll-houses and toll-gates, to be erected as aforesaid. and the tolls and duties to be made payable by virtue or in purfuance of this act, or any of them, or any part or parts thereof, to any such person or persons as shall advance or lend such money thereon, as a security or securities for the sum or sums of money so borrowed, with interest, not exceeding legal interest, for the same; which interest shall be payable and paid half-yearly, by the chamberlain of the said city for the time being, out of the monies to arise by or from the said tolls and duties, or any other money which shall be recovered or received under or by virtue of this act, and paid into the office of the said chamberlain.

Twenty days notice to be given of borrowing mo-Bcy.

XXX. Provided always, That no money shall be borrowed by the said mayor, aldermen, and commons, of the city of London, on the credit of any of the said tolls or duties, or premises, as aforesaid, unless notice be for that purpose given in the London Gazette, and also fixed in writing, under the hand of such person or persons as the said mayor, aldermen, and commons, or by any committee to be by them appointed, shall direct, at or upon all the toll-houses and toll-gates then erected or made, by virtue of this act, at least twenty days before the borrowing of fuch money.

Annuities to age of the annuitants.

XXXI. And whereas many persons may choose to advance money be granted ac- for the purchase of annuities, to be secured upon, and payable out of the cording to the faid tolls and duties; be it further enacted, That it shall and may be lawful to and for any person or persons to contribute, advance, and pay, into the office of the chamberlain of the city of London, any fum or fums of money, not exceeding in the whole the fum of fifteen thousand pounds, for the absolute purchase of one or more annuity or annuities, for the natural life or lives of fuch person or persons, being of the age of forty-five years or upwards, as shall be nominated by or on behalf of such purchaser or purchasers respectively, at the respective times of payment of their respective purchase-monies; which annuity or annuities shall not exceed the rate of eight pounds per centum per annum; or for the absolute purchase of one or more annuity or annuities, for the natural life or lives of such person or persons, being of the age of fixty years or upwards, as shall be so nominated; which last annuity or annuities shall not exceed the rate of ten pounds per centum per annum; all which annuities so to be purchased, shall be payable and paid by the chamberlain of the said city for the time being, out of the monies to arise by or from the faid tolls or duties, granted and made payable by this act, by four equal quarterly payments in the year, the first payment to be made to the respective purchasers, or their assigns, at the expiration of the first quarter after payment of their respective purchase-monies: and that the rates of such annuities respectively

shall be settled and adjusted by publick sale of such annuities,

\$1. per cent.

sol. per cent.



## 1777.] Anno decimo septimo Georgii III. c. 18.

by the said mayor, aldermen, and commons, in common council affembled, or by any committee by them to be appointed, to the best bidders for the same.

XXXII. Provided always, and it is hereby further enacted, When annui-That when and as often as any of the persons, for whose life or tants die, lives any annuity or annuities shall or may be purchased by vir-council may tue of or under this act, shall happen to die, it shall and may be grant other lawful to and for the said mayor, aldermen, and commons, of annuities. the city of London, in common council affembled, or any committee by them to be appointed, to fell and grant one or more annuity or annuities for the life or lives of any other nominee or nominees, upon the terms aforesaid, so that the whole amount of monies paid for the purchase of such annuities then actually existing do not exceed the sum of fifteen thousand pounds; any thing herein-before contained to the contrary thereof in any wife notwithstanding. Provided always, That the whole money to be borrowed under, or by virtue of this act, either by annuities or loan, shall not exceed the sum of fifteen thousand pounds.

XXXIII. And it is hereby further enacted, That the clerk Clerk of comfor the time being of such committee or committees, as shall be mittee to en-appointed as herein-after is mentioned, shall enter in a book or ties for monies books, to be for that purpose provided and kept by the clerk of borrowed or the said committee or committees, all securities for monies bor- annuities rowed, or annuities granted, by virtue or in pursuance of this granted, &c. act, and all affignments and transfers thereof; expressing in words at length the names, furnames, additions, places of abode, and other descriptions, of all such persons as shall, from time to time, be intitled to such securities, and the sums received upon fuch securities; and also the names, surnames, additions, places of abode, and other descriptions, of the persons for whose lives the faid annuities shall be respectively granted, and the days whereon the faid annuities respectively shall be payable; to which book and books, the person and persons intitled to, or interested in fuch annuities, shall at all seasonable times in the day-time have access, with free liberty to inspect the same, without fee or reward.

XXXIV. And be it further enacted by the authority afore- Annuities faid, That all and every of the annuities, so to be purchased charged on under or by virtue of this act, shall be, and are hereby charged the tolls, etc. upon, and shall be paid and payable, from time to time, out of the tolls and duties granted or made payable by virtue or in pursuance of this act; and all and every the purchaser and purchafers of fuch annuities, duly paying the confideration or purchasemoney for the same as aforesaid, or such person or persons as he, the, or they shall appoint, his, her, or their respective affignee or affigns, shall have, receive, and enjoy, and be intitled, by virtue of this act, to have, receive, and enjoy, the faid respective annuity or annuities, during the term of the natural life or lives of the person or persons to be nominated by each such purchaser and purchasers respectively, as before mentioned; and that all and every such purchaser and purchasers, and their assigns respectively, B b 2

246

Anno decimo septimo Georgii III. c. 18.

tively, shall have good, fure, absolute, and indefeasible estates and interests in the annuities so by them respectively purchased, according to the tenor and true meaning of this act; and that none of and not liable the faid annuities shall be subject or liable to any tax affeffed upon land, by authority of parliament, or to any other parlia-

mentary or parochial tax whatfoever.

be transferred.

to any tax.

XXXV. And be it further enacted, That it shall and may be Securities may lawful to and for any person or persons, intitled to any of the fecurities aforesaid, and his, her, and their executors, administrators, or assigns, at any time or times, by writing under his, her, or their hand or hands respectively, to assign or transfer such securities, by indorfement thereon, or otherwise, to any person or persons whomsoever, and so toties quoties; and such assignments or transfers, after they shall respectively be entered by the clerk of the faid committee or committees, in manner aforesaid, for every which entry the faid clerk shall be paid the sum of two shillings and fixpence, and no more, shall intitle the person or persons to whom they shall be respectively made, and his, her, and their respective executors, administrators, and assigns, to the benefit of the security or securities so assigned or transferred.

council impowered to appoint com-

XXXVI. And be it further enacted, That it shall and may be lawful to and for the said mayor, aldermen, and commons, in common council assembled, from time to time, to appoint one or more committee or committees, to manage and transact all or any of the matters or purposes which they the said mayor, aldermen, and commons, in common council affembled, are hereby authorised or required to do, execute, or perform; which committee or committees; so to be appointed, shall have such powers and authorities as shall from time to time be given or delegated to them respectively, by the said mayor, aldermen, and commons, in common council affembled, who are hereby accordingly authorized and impowered to delegate all or any of fuch powers and authorities.

No member of the committee to hold any place of profit, etc.

Common

mittees.

XXXVII. Provided nevertheless, and be it enacted by the authority aforesaid, That no person shall be eligible or capable of acting as a member of such committee, during such time as he shall have or execute any office or place of profit by or under the authority of this act, or during such time as he shall have any share or interest in any contract or agreement for effecting any of the purposes of this act.

Persons aggrieved may appeal to the quarter feisons.

XXXVIII. Provided also, and be it further enacted by the authority aforesaid, That in case any person or persons shall think him, her, or themselves aggrieved, by any orders or proceedings of any justice or justices of the peace, which shall be made or had under this act, it shall and may be lawful for such person or persons to appeal to the justices of the peace, at the next general quarter sessions of the peace, to be holden for the faid city of London, or the faid county of Middlesex, or the said county of Surry, as the case may be; and the justices, at such faid general quarter fessions, are hereby required to hear and finally determine every such appeal and appeals, and shall



## 1777.] Anno decimo septimo Georgii III. c. 18.

award to the party or parties for whom such appeal shall be determined, such costs as to them in their discretion shall seem reasonable, and shall raise and levy, by their order or warrants, fuch costs as shall be awarded, by distress and sale of the goods and chattels of any person or persons who shall be ordered to

pay the same.

XXXIX. And be it further enacted by the authority aforefaid, That no order which shall be made by any justice or ju- Proceedings stices, by virtue of or under this act, or any other proceedings not to be to be had touching the conviction or convictions of any offender quashed for or offenders against this act, shall be quashed or vacated for want of form only or he remaind an armed the transfer of the rectangle of the state of the restaurant of the re want of form only, or be removed or removeable by certiorari, or any other writ or process whatsoever, into any of his Majefty's courts of record at Westminster.

XL. Provided also, and be it further enacted, That no contract, agreement, assignment, entry, copy, or proceeding, by Writings may this act directed or authorized to be executed, made or given, be without shall be charged or chargeable, or subject or liable to any duty

whatfoever.

XLI. And be it further enacted, That all costs, charges, and expences of passing this act, and all other charges incident to the Expences of obtaining thereof, shall be borne, paid, and defrayed, out of this act how the first monies to arise by virtue of this act.

XLII. And be it enacted by the authority aforesaid, That if any action shall be brought, or suit commenced, against any Limitation of person or persons, for any thing done in pursuance of this act, actions. or in relation to the premises, or any of them, every such action or fuit shall be laid or brought within fix calendar months next after the fact done, and shall be laid or brought in the city of London, or the county where the matter shall arise, and not elsewhere; and the defendant or defendants in such action may plead the general iffue, and give this act and the special matters in evidence at any trial to be had thereupon, and that the same General issue, was done in pursuance and by the authority of this act: and if the same shall appear to have been so done, or if any such action or fuit shall not be brought within the time before limited, or shall be brought in any other city, county, or place, than as aforesaid, then the jury shall find for the desendant or defendants; or if the plaintiff or plaintiffs shall become nonsuited, or fuffer a discontinuance of his, her, or their action or actions, or if a verdict shall pass against the plaintiff or plaintiffs, or if upon demurrer judgement shall be given against the plaintiff or plaintiffs, the said defendants shall have treble costs, and shall have fuch remedy for recovering the same, as any defendant or de- Treble costs. fendants hath or have for costs in other cases by law.

XLIII. And be it further enacted, That this act shall be deemed, adjudged, and taken to be a publick act; and shall be Publick act. judicially taken notice of as fuch, by all judges, justices, and other persons whomsoever without specially pleading the same.



#### Anno decimo septimo Georgii III. C. 19-21. [1777] 248

#### CAP. XIX.

An act for the more easy and speedy recovery of small debts within the parish of Old Swinford, in the counties of Worcester and Stafford.

#### CAP. XX.

An act for continuing two acts, made in the fixth year of the reign of King George the first, and in the twentieth year of the reign of his late Majelty, for laying a duty of two pennies Scots, or one-fixth part of a penny sterling, upon every Scots pint of beer or ale vended or fold within the town of Burntisland, and liberties thereof, for increasing the publick revenue of the faid town, and for other purposes therein mentioned.

#### CAP. XXI.

An act for the better support of his Majesty's household, and of the bonour and dignity of the crown of Great Britain.

May it please your most excellent Majesty;

Preamble. Act I Geo. 3. recited.

HEREAS by an act of parliament, made in the first year of your Majesty's reign, (intituled, An act for the support of his Majesty's household, and of the honour and dignity of the crown of Great Britain,) it was enacted, (among other things,) That there should be granted and continued to your Majesty, and isluing and payable out of the fund called the aggregate fund, during your Majesty's life, the clear yearly rent or sum of seven hundred and twentythree thousand pounds, during the continuance of the several annuities therein mentioned; and immediately from and after the determination of one or more of the said annuities, such clear yearly sum, over and above, and in addition to, the faid yearly rent or fum of seven hundred and twenty-three thousand pounds, as the annuity or annuities so determined shall have amounted to; and in case of the determination of all the said annuities, then, and immediately from thenceforth, the clear yearly rent or sum of eight bundred thousand pounds, to be iffued and paid out of the said fund, for the support of his Majesty's houshold, and of the honour and dignity of the crown, from the twenty-fifth day of October, one thousand seven hundred and sixty, in manner therein particularly mentioned, as by the said act, relation being thereunto had, may more fully appear: and whereas the revenue to which your Majesty is intitled by virtue of the said act, hath been found inadequate to, and insufficient for, the purposes for which it was granted; and it is therefore just and expedient that a more competent provision should be made for the better support of your Majesty's housbold, and of the honour and dignity of the crown; we your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament affembled, with hearts full of the warmest duty and gratitude for the inestimable blessings which your subjects do enjoy under your Majesty's most auspicious government, do proy your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the autho-

From January rity of the same, That there be granted to his Majesty, during 5, 1777, an his life, (which God long preserve) over and besides the yearly



# 1777.] Anno decimo septimo Georgii III. C. 21.

rent or rents, or sum or sums of money in and by the aforesaid additional act granted to his Majesty, the further revenue or yearly rent of 1000,000 l. per one hundred thousand pounds, to commence from and after the ed to his Mafifth day of January, one thousand seven hundred and seventy- jesty during feven; and that the faid yearly rent or fum shall be, and is hereby his life; charged upon, and shall be paid and payable from time to time payable out of out of the hereditary and temporary revenues, and any other the aggregate the duties and revenues which do or shall compose the said fund, fund. commonly called the aggregate fund, or any of them, (after paying, or referving sufficient to pay, all such sum and sums of money as have been directed, by any former act or acts of parliament, to be paid out of the same;) but with preference to all other payments which shall or may be hereafter charged upon, or

payable out of the faid fund.

II. And be it enacted by the authority aforesaid, That on the The first payfifth day of July, one thousand seven hundred and seventy-seven, ment to his there be issued and paid to his Majesty, out of the duties and Majesty to be revenues composing the faid fund, the sum of fifty thousand 1777; pounds, being so much of the yearly rent or sum hereby granted as will then have accrued and become due and payable from the fifth day of January, one thousand seven hundred and seventy- after which feven; and that from and after the faid fifth day of July, one to be paid thousand seven hundred and seventy-seven, the said additional quarterly, etc. yearly rent or fum of one hundred thousand pounds shall grow due and be payable to his Majesty at the same time, and in the same manner, and together with the yearly rent or sum granted by the aforesaid act of the first year of his Majesty's reign, quarterly, at the four most usual days of payment in the year; that is to fay, the fifth day of April, the fifth day of July, the tenth day of October, and the fifth day of January, by even and equal: portions, out of the monies of the faid aggregate fund, the first quarterly payment thereof to be made on the tenth day of October, one thousand seven hundred and seventy-seven: and the commissioners of his Majesty's treasury, or any three or more of them, and the high treasurer, chancellor and under-treasurer of the exchequer, for the time being, and all other the officers and ministers of the court of exchequer, and of the receipt thereof, shall and may, and they are hereby respectively authorised and required to do all such acts, matters, and things, in order to render this act, and the several payments hereby directed, effectual, as are in and by the faid recited act authorised, required, or directed to be done and performed by them, or any or either of them, concerning the several payments thereby directed, in the same manner, to all intents and purposes, as if the feveral provisoes, clauses, matters and things, concerning the paying, issuing, or applying such yearly rents or sums as are therein mentioned, were in this behalf particularly repeated and re-enacted.



# 250 Anno decimo septimo Georgii III. c. 22-26. [1777.

### CAP. XXII.

An act for opening communications between Wapping-ftreet and Ratcliff highway, and between Old Gravel lane and Virginia-ftreet; and for paving certain streets intended to be built, and also certain other streets and publick passages and places within the parishes of Saint George and Saint John of Wapping in the county of Middlesex.

#### CAP. XXIII.

An act for lighting and watching the turnpike road leading from the stones end next Blackman street, in the parish of Saint Mary, Newington, in the county of Surrey, to the bridge at Walworth in the same parish, and the several roads, ways, and places, therein described, communicating therewith.

#### CAP. XXIV.

An act for expediting the sale of estates in Scotland belonging to the Yorkbuildings company, for the relief of their creditors.

### CAP. XXV.

An act for widening, cleanfing, and lighting, the feveral streets, lanes, alleys, ways, and other publick passages, within the town of Wolver-hampton, in the county of Stafford; and for taking down, altering, or rebuilding certain buildings therein mentioned; and for removing all other nuisances, and incroachments, and for regulating carts and other carriages within the said town.

#### C A P. XXVI.

An act for registering the grants of life annuities; and for the better protection of infants against such grants.

HEREAS the pernicious practice of raifing money by the

fale of life annuities bath of late years greatly increased, and

Preamble.

be void.

is much promoted by the secrecy with which such transactions are conducted; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That a memorial of every deed, bond, instrument, or other assurance, whereby any A memorial annuity or rent-charge shall, from and after the passing of this of all deeds, act, be granted for one or more life or lives, or for any term of bonds, etc. for granting life years or greater estate determinable on one or more life or lives, annuities, shall, within twenty days of the execution of such deed, bond, thall, within so days of the instrument, or other assurance, be inrolled in the high court of execution chancery; and that every such memorial shall contain the day thereof, be of the month, and the year when the deed, bond, instrument, inrolled in or other assurance, bears date, and the name of all the parties, the court of and for whom any of them are trustees, and of all the witneschancery; fes; and shall fet forth the annual sum or sums to be paid, and which shall contain the the name of the person or persons for whose life or lives the date, names of the parties, annuity is granted, and the confideration or confiderations of witnesses, &c. granting the same; otherwise every such deed, bond, instrument, otherwise eve- or other assurance, shall be null and void to all intents and ry fuch deed, bond, etc. shall purposes.

II. And be it further enacted, That before any judgement



# 1777.] Anno decimo septimo Georgii III. c. 26.

shall be entered of record upon any warrant of attorney for re- Before judgecovering or securing the payment of any annuity or rent-charge ment shall be that hath already been granted for one or more life or lives, or cord upon any for any term of years or greater estate determinable upon one warrant of or more life or lives, and before any execution shall be sued out, attorney for or action brought on any such judgement already entered, or on recovering any deed, bond, instrument, or other assurance already executed already grantfor the purposes aforesaid, a like memorial of the deed, bond, in-ed, and before strument, or other affurance, shall be inrolled in the high court of execution chancery; and in case the party shall neglect to inrol the same, shall be sued any fuch judgement, execution, or proceeding in the action re- any judgespectively, shall be null and void.

III. And be it further enacted by the authority aforesaid, That entered, etc. in every deed, instrument, or other assurance, whereby any an-a memorial nuity or rent-charge shall, from and after the passing of this act, led as aforebe granted, or attempted to be granted, the confideration really faid. and bona fide, (which shall be in money only) and also the name All future or names of the person or persons by whom, and on whose be-deeds for half, the said consideration, or any part thereof, shall be advanc- granting of ed, shall be fully and truly fet forth and described in words at contain the length; and in case the same shall not be fully and truly set forth consideration, and described, every such deed, instrument, or other assurance, and the names, of the parties,

shall be null and void to all intents and purposes.

IV. And be it further enacted, That if any part of the consi-length. deration shall be returned to the person advancing the same; or, If any part of in case the consideration, or any part of it, is paid in notes, if the consideraany of the notes, with the privity and consent of the person ad-tion shall be vancing the same, shall not be paid when due, or shall be can-any notes shall celled or destroyed without being first paid; or if the consideration, not be paid or any part of it, is paid in goods; or if any part of the confide- when due, etc. ration is retained on pretence of answering the future payments of the annuity, or any other pretence; in all and every of the aforesaid cases, it shall and may be lawful for the person, by whom the annuity or rent-charge is made payable, to apply to the court, in which any action is brought for payment of the annuity on judgement entered, by motion, to stay proceedings on the judgement or action; and if it shall appear to the court the court may that such practices as aforesaid, or any of them, have been used, order the deed it shall and may be lawful for the court to order the deed, bond, led, etc. instrument, or other assurance, to be cancelled, and the judgement, if any has been entered, to be vacated.

V. And be it further enacted, That a particular roll shall be Directions reprovided and kept by the clerks of the inrollments in chancery, lating to the or their deputy, on which such memorials shall be entered, and incollment of memorials. that every such memorial shall be duly inrolled in order of time, as the same shall be brought to the office; and the said clerks of the inrollments, or their deputy, shall specify upon the roll the certain day, hour, and time, on which fuch memorial is brought to the office, and shall grant a certificate of the inrollment thereof when required; and that there shall be paid for the The clerks inrollment of every fuch memorial the fum of one shilling, and fees.

ment already in words at



Anno decimo septimo Georgii III. c. 26.

no more, in case the same do not exceed two hundred words; but if such memorial shall exceed two hundred words, then after the rate and proportion of fixpence for every one hundred words, and the like fees for every certificate and copy given; and the fee of one shilling for every search in the office, and no more.

All contracts for the purchase of annuities with any person of age, to be vo d. Any perion who shall procure or folicit any minor to grant an annuity, etc.

VI. And be it further enacted by the authority aforefaid, That all contracts for the purchase of any annuity with any person being under the age of twenty-one years, thall be and remain utterly void, any attempt to confirm the same, after such person under 21 years shall have attained the age of twenty-one years, notwithstanding: and that if any person shall, either in person, by letter, agent, or otherwise howsoever, procure, engage, solicit, or ask any perfon, being under the age of twenty-one years, to grant or attempt to grant any annuity or rent-charge, or to execute any bond, deed, or other instrument, for securing the same; or shall advance or procure, or treat for any money to be advanced to any person under the age of twenty-one years, upon confideration of any annuity or rent-charge to be secured or granted by such infant, after he or the shall have attained his or her age of twenty one years; or shall induce, solicit, or procure any infant, upon any treaty or transaction for money advanced, or to be advanced, to make oath, or to give his or her word of honour or solemn promile, that he or she will not plead infancy, or make any other defence against the demand of any such annuity or rentcharge, or the repayment of the money advanced to him or her when under age; or that when he or the comes of age, he or the will confirm or ratify, or in any way substantiate such annuity or rent-charge; every such person shall be guilty of a misdemeanor, and being thereof lawfully convicted in any court of affize, over and terminer, or general gaol delivery, shall and may be punished. for the said offence by fine, imprisonment, or other corporal punishment, as the court shall think fit to award.

shall be punished by fine or imprisonment, etc.

Solicitors, scriveners, etc. who shall take more than 10s. per rool. for procuring money for annuities,

VII. And be it enacted by the authority aforesaid, That all and every folicitors and folicitor, scriveners and scrivener, brokers and broker, and other persons or person, who, from and after the paffing of this act, shall ask, demand, accept, or receive, directly or indirectly, any fum or fums of money, or any other kind of gratuity or reward, for the foliciting or procuring the loan, and for the brokerage of any money that shall be actually and bona fide advanced and paid as and for the price or confideration of any such annuity or rent-charge, over and above the fum of ten shillings for every one hundred pounds so actually and bona fide advanced and paid, shall be deemed and adjudged guilty of a misdemeanor; and being lawfully convicted of such offence in any court of affize, over and terminer, or general gaol delivery, shall and may, for every such offence, be punished by fine and imprisonment, or one of them, at the discretion of the court; and that the person or persons who shall have paid or given any sum or sums of money, gratuity or reward, shall be deemed a competent witness or witnesses to prove the same.

shall be punished by fine and imprisonment, etc.

VIII. And



#### Anno decimo septimo Georgii III. C. 27. x777.]

VIII. And be it further enacted, That nothing in this act Certain cases contained shall extend to any annuity or rent-charge given by to which this will or by marriage settlement, or for the advancement of a extend. child; nor to any annuity or rent-charge secured upon lands of equal or greater annual value, whereof the grantor was feized in fee-simple or in fee-tail in possession at the time of the grant, or secured by the actual transfer of stock in any of the publick funds, the dividends whereof are of equal or greater annual value than the faid annuity; norto any voluntary annuity granted without regard to pecuniary confideration; nor to any annuity or rent-charge granted by any body corporate, or under any authority or trust created by act of parliament; nor to any annuity where the fum to be paid does not exceed ten pounds annually, unless there be more than one fuch last-mentioned annuity from the same grantor or grantors, to or in trust for the same person or persons.

#### C A P. XXVII.

An act for allowing a drawback of the duties of customs on the exportation of tea to Ireland.

WHEREAS the drawback allowed by an act of parliament, Preamble.

made in the twelfth year of the reign of his present Majesty, (intituled, An act for granting a drawback of part of the customs Act 12 Geo. 3. upon the exportation of tea to Ireland, and the British dominions recited. in America; for altering the drawback upon foreign sugars exported from Great Britain to Ireland; for continuing the bounty on the exportation of British-made cordage; for allowing the importation of rice from the British plantations into the ports of Br. fol, Liverpoole, Lanca fer, and Whitehaven, for immediate exportation to foreign parts; and to impower the chief magistrate of any corporation to administer the oath, and grant the certificate required by law, upon the removal of certain goods to London, which have been fent into the country for sale;) upon the importation of tea into Ireland from this kingdom, will cease on the fifth day of July, one thousand seven hundred and seventy-seven: and whereas it may tend to promote and encourage the importation of tea into Ireland from this kingdom, if the whole of the duties of customs, payable upon the importation of teus, were to be allowed to be drawn back upon all teas | It at the publick fales of the united company of merchants of England training to the East Indies, which shall be exported to Ireland after the fa d fifth day of July, one thousand seven hundred and seventy-seven; may it therefore please your Majesty that it may be inieled, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commens, in this present parliament assembled, and by the authority of the same, That there shall be drawn A drawback back and a lowed for all teas fold at the publick fales of the to be allowed un ted company of merchants of Englin 1 trading to the Eat of the who e Indic, or which shall be imported, by I cence, in pursuance of toms on tea, as a t, made in the eighteenth year of the rign of his late majesty on the expor-K ng Geo ge the second, (intituled, An ast for repealing the present tation thereof inland to Ireland.





Anno decimo septimo Georgii III. C. 28. inland duty of four shillings per pound weight upon all tea sold in Great Britain; and for granting to his Majesty certain other inland duties in lieu thereof; and for better securing the duty upon tea, and other duties of excise; and for pursuing offenders out of one county into another) which shall at any time, from and after the fifth day of July, one thousand seven hundred and seventy-seven, be exported from this kingdom as merchandize to Ireland, the whole of the duties of customs payable upon the importation of such teas; which drawback or allowance shall be made to the exporter, in fuch manner, and under fuch rules, regulations, and fecurities, and subject to the like penalties and forfeitures, as are mentioned in and by the faid recited act of the twelfth year of the reign of his present Majesty; and in and by an act, made in the fourteenth year of the reign of his present Majesty, (intituled, An all for granting further time to the united company of merchants of England trading to the East Indies, to expose to fale the finglo and bohea teas remaining in their warehouses unsold, on the fifth day of April, one thousand seven hundred and seventy-four; and for allowing the drawbacks on the exportation of such teas;) and in and by an act, made in the sixteenth year of the reign of his present Majesty, (intituled, An ast for granting further time for allowing the drawback upon the exportation of muslins and calicoes, imported by the East India company in the years one thousand seven hundred and seventy-three, and one thousand seven hundred and seventy-four; for allowing further time to the said company to expose to sale such bohea and finglo teas and coffee as remain unfold on the fifth day of April, one thousand seven hundred and seventy-six; and also such bohea teas as shall be imported on or before a certain time; and for allowing the drawbacks on the exportation of such teas and coffee; and for granting further time for allowing the drawback on the exportation of coffee imported in the ship Shrewsbury, in the year one thousand seven hundred and seventy-three;) or by any other act of parliament now in force, so far as the same respectively concern the exportation of tea to Ireland, in as full and ample manner, to all intents and purposes, as if the several clauses relating thereto were again

### C A P. XXVIII.

repeated and re-enacted in this present act.

An act to revive and continue such part of an act, made in the last selsion of parliament, intituled, An act for allowing the exportation of certain quantities of wheat, and other articles, to his Majesty's sugar colonies in America, and to the island of Saint Helena, and to the other settlements belonging to the united company of merchants of England trading to the East Indies, and of biscuit and pease to Newfoundland, Nova Scotia, Bay Chaleur, and Labrador; and for indemnifying all persons with respect to advising or carrying into execution his Majesty's orders of council already made for allowing the exportation of wheat, and other articles; as expired on the first day of January, one thousand seven hundred and seventy-seven.



# 1777.] Anno decimo septimo Georgii III. C. 29.

WHEREAS by an act, made in the last session of parliament, Preamble; intituled, An act for allowing the exportation of certain reciting an act of the quantities of wheat, and other articles, to his Majesty's sugar last ression of colonies in America, and to the island of Saint Helena, and to parliament. the other settlements belonging to the united company of merchants of England trading to the East Indies, and of biscuit and pease to Newfoundland, Nova Scotia, Bay Chaleur, and Labrador; and for indemnifying all persons with respect to advising or carrying into execution his Majesty's orders of council already made for allowing the exportation of wheat, and other articles; liberty was given to export, at any time or times before the first day of January, one thousand seven hundred and seventy-seven, certain quantities of wheat, and other articles, from certain ports in this kingdom, to his Majesty's Sugar colonies in America, for the Sustenance and use of the inhabitants of the said colonies; and also to export, from certain ports in this kingdom, certain quantities of biscuit and pease to the island of Newfoundland, Nova Scotia, Bay Chaleur, and Labrador, for the benefit of the British fishery carried on in those parts: and whereas it is expedient that the like liberty should be granted and continued for a further time: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament affembled, and by the authority of the same, That such part of such part of the said recited act as expired on the said first day of January, the aboveone thousand seven hundred and seventy-seven, shall, from and recited act as after the passing of this act, be revived, and the same is hereby hereby revivrevived, and shall continue in full force and virtue until the ed, and contwenty-fifth day of March, one thousand seven hundred and tinued until feventy-eight.

March 25, 1778.

### CAP. XXIX.

An all for the more effectual prevention of the manufacturing of ash, elder, floe, and other leaves, in imitation of tea, and to prevent frauds in the revenue of excise in respect to tea.

ATHEREAS by an all of parliament, made in the fourth year of the reign of his late majesty King George the Second, (in- Preamble. tituled, An act to prevent frauds in the revenue of excise with Act 4 Geo. 2. respect to starch, coffee, tea, and chocolate) it is enacted, That, recited. from and after the twenty ninth day of September, one thousand seven hundred and thirty-one, if any person or persons who should be a dealer in or seller of tea, should dye, fabricate, or manufacture any floe leaves, liquorish leaves, or the leaves of tea that had been used, or the leaves of any other tree, shrub, or plant, in imitation of tea, or should mix, colour, Rain, or dye, such leaves or tea, with terra japonica, sugar, molasses, clay, logwood, or with any other ingredients or materials what soever; or should fell and vend, utter, or offer or expose to fale, or should have in his, her, or their custody, any such dyed, fabricated, or manufactured leaves, in imitation of tea, or any such coloured, stained, or dyed leaves, or tea mixed with any of the materials beforementioned, or with any other ingredients whatfoever, such person

Any person

shall dye or

in imitation

uled, or any

leaves, etc.

offer to fell

or elder

etc.

of tea, any leaves of tea

manufacture,

who, after



## Anno decimo septimo GEORGII III. C. 29. [1777.

person or persons should respectively, for every pound of such leaves so dyed, fabricated, or manufactured in imitation of tea, and for every pound of such mixed, coloured, stained, or dyed leaves or tea, forfeit and pay the sum of ten pounds: and whereas great quantities of floe leaves, and leaves of ash, elder, and other trees, strubs, and plants, are dyed, fabricated, and manusactured in imitation of tea, by divers persons who sell the same so dyed, fabricated, and manufactured, to other persons being dealers in tea, smugglers, and others, by whom the faid manufactured leaves are mixed with tea, and feld and vended as true and real tea, but by reason that the persons so dying, fabricating, and manufacturing the faid leaves, are not dealers in, or fellers of tea, they are not punishable for the said offences by the laws now in being, whereby such evil practices are increased to a very great degree, to the injury and destruction of great quantities of timber, woods, and underwoods, the prejudice of the health of his Majesty's subjects, the diminution of the revenue, the ruin of the fair trader, and to the encouragement of idleness; for remedy whereof, and for the more effectual prevention of such frauds and abuses for the future, be it enacted; and it is hereby enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of June, one thousand seven hundred and seventyseven, if any person or persons whatsoever, whether he, she, or June 1, 1777, they, be a dealer or dealers in, or a feller or fellers of tea, or not, shall dye, fabricate, or manufacture, any sloe leaves, liquorish leaves, or the leaves of tea that have been used, or the leaves of any ash, elder, or other tree, shrab, or plant, in imitation of that have been tea, or shall mix, colour, stain, or dye, any such leaves with terra japonica, copperas, sugar, molasses, clay, logwood, or with floe, liquorith, any other ingredients or materials whatfoever, or shall fell or vend, utter, or offer or expose to sale, or shall have in his, her, or shall fell, or or their custody or possession, any such dyed, fabricated, or manufactured leaves in imitation of tea, or any such coloured, the fame, etc. stained, or dyed leaves, or any leaves that should be dying, fabricating, or manufacturing in imitation of tea, and shall be shall, on con- thereof convicted upon the oath of one or more credible witness viction, for feit or witnesses, before any one or more of his Majesty's justices of 51. for every the peace for the county, city, riding, division, district, or place, leaves fodyed, wherein such offence shall have been committed; such person or pound of fuch persons shall respectively, for every pound of such leaves so dyed, fabricated, or manufactured in imitation of tea, or dying, fabricating or manufacturing in imitation of tea, and for every pound of fuch mixed, stained, or dyed leaves of tea, forfeit and pay the sum of five pounds; and upon nonpayment thereof, such justice or justices shall commit the offender or offenders to the common gaol of the county or place where the offence shall be committed, there to remain without bail or mainprize for any time not exceeding twelve months, nor less than fix months, or until the penalty and charges shall be paid.

Penalty on persons hav-

II. And it is further enacted by the authority aforesaid, That,



## Anno decimo septimo GEORGII III. c. 29. [1777.

All fuch leaves fo found, to be

Penalty on persons obftructing officers in leaves, etc.

Certain cases in which leaves found concealed, shall not be

carts, boxes, bags, tubs, or other vessels, or package, containing the same: and it shall and may be lawful to and for the said justice or justices so granting the said warrant, or any other destroyed, etc. justice or justices of the peace for the county, city, riding, division, district, or place, wherein such seizure shall be made, on proof of the premises, by oath of one or more credible witness or witnesses, by warrant or warrants under his or their hand or feal, hands or feals respectively, to order the said dyed, fabricated, or other leaves, so seized as aforesaid, to be conveyed to fome convenient place, and there to be burnt or otherwise destroyed, and to order the said waggons, carts, boxes, bags, tubs, or other vessels or package, containing the same as aforesaid, to be forthwith fold, and the money arising by such sale, after deducting the charges of such seizure and sale, and of the burning, or otherwise destroying of the said leaves, to go and be paid, one half to the informer, and the other half to the poor of the parish where the offence shall be committed: and if any person or perfons whatfoever shall let, obstruct, or hinder, such officer or officers, or other person or persons having such authority as fearch of such aforesaid, from entering such places where he or they shall sufpect fuch leaves to be so hid, concealed, or lodged, or in seizing, carrying away, burning, or otherwise destroying the same, or in feizing, carrying away, or felling, the faid carts, waggons, boxes, bags, tubs, or other vessels or package, containing the same as aforesaid, the person or persons offending therein shall, for every fuch offence, forfeit and lose the sum of fifty pounds each, on conviction thereof, by the oath of one or more credible witness or witnesses, before one or more justice or justices of the peace for the county, city, riding, division, district, or place, where fuch offence shall be committed; and upon nonpayment of the faid forfeiture, such justice or justices shall commit the offender or offenders to the common gaol of the county or place where the offence shall be committed, there to remain without bail or mainprize, for any time not exceeding twelve months, nor less than fix months, or until the penalty and charges shall be paid.

IV. Provided always, and it is hereby enacted by the authority afcresaid, That no such green and unmanufactured leaves, fo found hid, concealed, or lodged, as aforefaid, shall be burnt or otherwise destroyed, if the owner or owners thereof shall, withdestroyed, etc. in twenty-four hours after such seizure, prove, to the satisfaction of the justice or justices granting the said warrant for seizing such leaves, or any other justice or justices of the peace for the county, city, riding, division, district, or place, where the same shall be fo seized, that the said green or unmanufactured leaves were gathered with the confent of the owner or owners of the trees. shrubs, or plants, from which the faid leaves were taken, and that the same were so gathered for some other use or uses, and not for the purpose of dying, fabricating, or manufacturing, in imitation of tea, as aforefaid; and if such proof shall, within the time aforesaid, be made to the satisfaction of the said justice or justices, then the said green or unmanufactured leaves, together



#### Anno decimo septimo Georgii III. c. 29. 1777.

with the carriages, vessels, and package, in which the same shall have been so seized, shall be forthwith restored to the owner or

owners thereof, by order of such justice or justices.

V. And be it further enacted by the authority aforesaid, That Occupiers of all such dyed, coloured, stained, fabricated, and manufactured, wherein any and other leaves aforesaid, shall be deemed and adjudged to be such leaves in the custody and possession of the occupier or occupiers of the shall be found, dwelling-houses, out-houses, gardens, and lands, wherein or if lodged there whereon the same shall be so found hid, concealed, or lodged, as with their aforesaid; and such occupier or occupiers of the said dwelling- be liable to the houses, out-houses, gardens, and lands, shall be liable to all the penalties of pains and penalties by this act inflicted on the person or persons this act. having such dyed, coloured, stained, fabricated, or manufactured, and other leaves, in his, her, or their custody or possession, if it shall be proved, to the satisfaction of the justice or justices before whom the matter shall be heard, that such leaves were lodged in fuch dwelling-houses, out-houses, gardens, or lands, with the privity or confent of the faid occupier or occupiers thereof.

VI. And be it further enacted by the authority aforesaid, That Application one moiety of all and every the forfeitures herein-before directed of the forfeito be paid in pursuance of this act, shall go to the informer, and the other moiety to the poor of the parish where such offence

shall be committed.

VII. And for the more easy conviction of persons offending against this act, be it enacted by the authority aforesaid, That in all in- Inhabitants of formations and other proceedings for any of the offences afore- the parish to be admitted as said, the evidence of the inhabitants of the parish or place where evidence. the offence shall be committed shall be taken and allowed, any law, custom, rule, order, or usage to the contrary notwithstanding.

VIII. And be it enacted by the authority aforesaid, That his Justices to put Majesty's justices of the peace for the respective counties, cities, execution. ridings, divisions, districts, or places, wherein any of the offences committed against this act shall be done, are hereby authorized to put this act in execution, and to administer an oath

to any fuch credible witness or witnesses.

IX. And be it further enacted by the authority aforesaid, That Convictions of the conviction or convictions of all and every offender and of- be certified to fenders against this act, shall be certified, by the justice or justices the next quarof the peace before whom the same shall be made, to the next ter sessions. general quarter fessions of the peace, to be filed amongst the records of the said sessions; and that such conviction shall be fairly written on parchment or paper, in the following form of words, (as the case shall happen) or in any other form of words to the like effect; that is to fay,

2 E it remembered, That on the day of Form of conviction. in the year A. B. was, upon the complaint of C. D. convicted before of the justices of the peace for

in pursuance of an all passed in the seventeenth year of the Vol. XXXI. reign



# 1777.] Anno decimo septimo Georgii III. c. 30.

within that part of Grent Britain called England, at any time after shall specify eight, shall specify the names and places of abode of the persons to whom payrespectively to whom, or to whose order, the same shall be made able. payable; and shall bear date before or at the time of drawing or isfuing thereof, and not on any day subsequent thereto; and shall be made payable within the space of twenty-one days next after the day of the date thereof; and shall not be transferrable or negotiable after the time thereby limited for payment thereof; and that every indorfement to be made thereon shall be made before the expiration of that time, and to bear date at or not before the time of making thereof; and shall specify the name and place of abode of the person or persons to whom, or to whose order, the money contained in every fuch note, bill, draught, or undertaking, is to be paid; and that the figning of every fuch note, The figning of bill, draught, or undertaking, and also of every such indorse- every such ment, shall be attested by one subscribing witness at the least; note, and inand which faid notes, bills of exchange, or draughts, or under- be attefted by takings in writing, may be made or drawn in words to the pur- one witness. port or effect as fet out in the schedule hereunto annexed, No. I. and II.: and that all promissory or other notes, bills of exchange, or draughts, or undertakings in writing, being negotiable or transferrable, for the payment of twenty shillings, or any fum of money above that fum and less than five pounds; or in which twenty shillings, or above that sum and less than five pounds shall remain undischarged, and which shall be issued, within that part of Great Britain called England, at any time after the said first day of January, one thousand seven hundred and seventy-eight, in any other manner than as aforesaid; and also every indorfement on any fuch note, bill, draught, or undertaking, to be negotiated under this act other than as aforesaid, shall. and the same are hereby declared to be, absolutely void; any law, statute, usage, or custom to the contrary thereof in any wife notwithstanding.

II. And be it further enacted by the authority aforesaid, That Penalty on the publishing, uttering, or negotiating, within that part of Great publishing or Britain called England, of any promissory or other note, bill of negotiating exchange, draught, or undertaking in writing, being negotiable etc. contrary or transferrable for twenty shillings, or above that fum and less to the method than five pounds, or on which twenty shillings, or above that prescribed by fum and less than five pounds, shall remain undischarged, and this act. issued or made in any other manner than notes, bills, draughts, or undertakings, hereby permitted to be published or negotiated as aforesaid; and also the negotiating of any of such last mentioned notes, bills, draughts, or undertakings, after the time appointed for payment thereof, or before that time in any other manner than as aforefaid, by any act, contrivance, or means whatsoever, from and after the said first day of January, one thousand seven hundred and seventy-eight, shall be, and the same is hereby declared to be, prohibited or restrained, under the like penalties or forfeitures, and to be recovered and applied



Anno decimo septimo Georgii III. C.30. [1777.

in like manner as by the said act is directed, with respect to the uttering or publishing or negotiating of notes, bills of exchange, draughts, or undertakings in writing, for any sum of money not less than the sum of twenty shillings, or on which less than that

All negotiable promiffory notes, etc. bebe iffued before Jan. 1, 1778, shall be payable on demand.

fum should be due. III. And be it further enacted by the authority aforesaid, That, from and immediately after the passing of this act, all promissory tween 20s. and or other notes, bills of exchange, draughts, or undertakings in 51. which shall writing, for the payment of any greater sum of money than twenty shillings, and less than the sum of five pounds, or on which twenty shillings, and less than the sum of five pounds, shall remain undischarged, and being negotiable or transferrable, as shall be issued before the said first day of January, one thousand seven hundred and seventy-eight, shall be, and the same are hereby declared and adjudged payable, within that part of Great Britain called England, on demand, any terms, restrictions, or conditions therein contained to the contrary thereof notwithstanding; and shall be recoverable in such manner, or by the like means, as is or are directed in or by the faid act with respect to notes, bills of exchange, or draughts, or undertakings in writing therein mentioned to have issued previous to the said twentyfourth day of June, one thousand seven hundred and seventy-five; and that all and every other the powers, provisoes, limitations, restrictions, penalties, clauses, matters and things whatsoever in the said former act contained with respect thereto, and also with respect to all such notes, bills of exchange, draughts, or undertakings in writing, issued after the said twenty-fourth day of June, one thousand seven hundred and seventy-five, shall be, and the same are hereby declared to be in force, within that part of Great Britain called England, as to all notes, bills of exchange, or draughts, or undertakings in writing, for twenty shillings, or any greater sum and less than the sum of five pounds, or on which twenty shillings, or above that sum and less than five pounds, shall remain undischarged, issued after the said first day of January, one thousand seven hundred and seventy-eight, and previous thereto respectively, and in like manner as if the same respectively had been the object of the said act at the time of making thereof, fave so far as the same or any of them are altered or varied by this present act.

Continuance of this act, and the former

act.

IV. And be it further enacted by the authority aforesaid, That the said former, and also this present act, shall continue in force, not only for the residue of the term of five years in the said former act mentioned, and from thence to the end of the then next session of parliament, but also for the further term of five years, and from thence to the end of the then next session of parliament.

## SCHEDULE.

### No. I.

TWenty-one days after date, I promise to pay to A. B. of Place

his order, the sum of for value received by

Witness,
E. F.

And the indorfement, toties quoties.

Pay the contents to

Place

G. H. of —

or his order.

Day Month Year

A. B.

Witness, J. K.

No. II.

TiVenty-one days after date, pay to A. B. of — or his order, the sum of — value received, as advised by

Place

C. D.

Place

To E. F. of ——
Witness,
G. H.

And the indorfement, toties quoties.

Pay the contents to
Place
J. K. of
or his order.

Day
Month
Year

A. B.

Witness, L. M.



#### C A P. XXXI.

An act to enable the commissioners for executing the office of treasurer of his Majesty's exchequer, or the lord high treasurer for the time being, to make an agreement or composition with the several sureties of William Brown, and the representatives of such of the said sureties as are dead, for a debt remaining due from them to the crown, on several tobacco bonds, entered into and executed by fuch fureties respectively; and that they and their estates and effects may be acquitted and discharged therefrom.

Preamble; reciting several bonds entered into by William Brown, etc. payable to his Majesty. Commissioners of the treasury impowered to compound with William Francis, John Wigginton, etc. (fureties for Will. Brown) in respect of the aforesaid bonds. After such composition, etc. shall be made by the commissioners of the treasury, the said sureties and their estates shall be freed from all future claims relating to the said bonds. This act not to discharge Will. Brown, his heirs, etc.

#### C A P. XXXII.

An act for building a new church within the town and parish of Buckingham.

#### XXXIII. CAP.

An all to allow the master dyers, within the counties of Middlesex, Effex, Surrey, and Kent, to employ journeymen in their trade who bave not served apprenticeships thereto.

Preamble. Act 5 Eliz. recited.

THEREAS by an act of parliament, made in the fifth year V of the reign of Queen Elizabeth, intituled, An act containing divers orders for artificers, labourers, servants of husbandry, and apprentices, it is amongst other things enacted, That it shall not be lawful to any person or persons (other than such as then did lawfully use or exercise any art, mystery, or manual occupation) to set up, occupy, use, or exercise, any craft, mystery, or occupation, then used or occupied within the realm of England, or Wales, except he shall have been brought up therein seven years, at the least, as an apprentice; nor to set any person on work in such mystery, art, or occupation, being not then a workman, except be shall have been apprentice as aforesaid, upon pain of every person offending or doing the contrary to forfeit and lose, for every default, forty shillings for every month; whereby the trade of a dyer is very much injured and obstructed, in regard there are not a sufficient number of persons who have served an apprenticeship to be employed as journeymen therein: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the so much of the same, That from the day of passing this act, so much of the said faid act, as re- act, made in the fifth year of the reign of the said Queen Elizabeth, above-recited, as relates to journeymen or fervants being employed in the trade or occupation of a dyer, shall be, and the same is hereby rep: led, with respect to the counties of Middle-

lates to journeymen dyers, repealed.

IEX,



## 1777.] Anno decimo septimo Georgii III. c. 34.

Sex, Esex, Surrey, and Kent; and that it shall and may be lawful to and for all and every person and persons whomsoever, who carry on or use the trade of a dyer within any of the said counties of Middlesex, Esfex, Surrey, or Kent, to employ so many, and fuch number of journeymen, fervants, and labourers, as they shall respectively have occasion for, without incurring any penalty under the faid act, any thing therein contained, or any other law, usage, or custom to the contrary notwithstanding.

#### C A P. XXXIV.

An all for the better supply of mariners and seamen to serve in his Majesty's ships of war, and on board merchant ships and other trading ships and wessels.

POR the better supply of mariners and seamen to serve in his Preamble.

Majesty's ships of war, and on hourd marchant six serve in his Preamble. Majesty's ships of war, and on board merchant ships, and other trading ships and vessels; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament affembled, and by the authority of the same, That, from and From the pasafter the passing of this act, until the twenty-fifth day of March, sing of this act one thousand seven hundred and seventy-eight, and no longer, till March 25, sevent in respect of such merchant thins, and other trading 1778, mer-(except in respect of such merchant ships, and other trading chant ships, ships or vessels, which shall be on their voyage before the said etc. may be twenty-fifth day of March, one thousand seven hundred and navigated by feventy-eight, who shall be, and are hereby allowed the liberty three-fourths and benefit of returning home navigated in the manner as here-men. in after is provided), it shall and may be lawful for any merchant ship, or other trading ship or vessel, to be navigated by foreign scamen or mariners, not being natives of Great Britain, or of any of the colonies or plantations thereto belonging, or his Majesty's natural or naturalized subjects, so as the number of fuch foreign seamen or mariners, do not exceed three-fourths of the mariners at any one time employed to navigate fuch merchant ship, or other trading ship or vessel, and that one-fourth at least of the mariners or seamen so employed, be at all times natives, or his Majesty's naturalized subjects of Great Britain, (sudden death and hazard and casualties of war, and the seas, faved and excepted), one act of parliament, made in the twelfth year of the reign of his late majesty King Charles the Second, (intituled, An act for the encouraging and encreasing of shipping and navigation), or any other statute or law to the contrary notwith-Itanding.

II. Provided always, That nothing in this act contained shall This act not extend to take away or restrain the effect of any such royal pro- to restrain any clamation as his Majesty, his heirs and successors, are impower- mation to be ed to make by virtue of an act, passed in the thirteenth year of his made pursuant late Majesty's reign, (intituled, An act for the better supply of mari- to an act 13 ners and seamen, to serve in his Majesty's Ships of war, and on board Geo. 2. merchant ships, and other trading ships and privateers.)



### C A P. XXXV.

An act for further continuing an act, passed in the sixth year of his present Majesty's reign, intituled, An act to prohibit the importation of toreign-wrought filks and velvets for a limited time, and for preventing unlawful combinations of workmen employed in the filk manufacture.

Preamble.

WHEREAS the law herein-after mentioned has, by experience, been found useful and beneficial, and is near expiring; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That an act, made in the fixth year of the reign of his present Majesty, intituled, An ast to prohibit the importation of foreign-wrought filks and velvets for a limited time, and for preventing unlawful combinations of workmen employed in the filk manufacture; which was to continue in force for five years, from the fourteenth day of June, one thousand seven hundred and fixty-fix, and from thence to the end of the then next session of parliament; and which, by another act, made in the eleventh year of the reign of his present Majesty, was further continued from the expiration thereof, until the fourteenth day of June, one thousand seven hundred and seventy-six, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the fourteenth day of June, one thousand seven hundred and eighty-two, and from thence to the end of the then next fession of parliament.

Act 6 Geo. 3. secited;

and further continued for 6 years.

### C A P. XXXVI.

An act for enlarging the times appointed for the first meetings of commissioners or trustees for putting in execution certain acts of this Selfion of parliament.

Preamble.

WHEREAS certain acts may have been made and passed in this present session of parliament, appointing the first meetings of the commissioners or trustees for putting such acts in execution upon certain days which have elapsed before, or happened upon, the respective days of paffing such acts; and doubts may arise whether, in such cases, the commissioners or trustees, appointed in and by such acts, are authorised to meet and carry such acts into execution; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the fame, That in case any act or acts of parliament hath or have executing any paffed during this present session of parliament, and the commissioners or trustees for putting such act or acts in execution, shall not have met and holden their first meetings on the re-

spective

Commissioners, etc. for act passed this leffion, who



# 1777.] Anno decimo septimo Georgii III. c. 37.

spective days appointed by such acts respectively, it shall and have not held may be lawful for such commissioners or trustees, or such num- their first ber of them as by such acts are authorised to meet and to put formable to fuch acts in execution, to meet and proceed in the execution of fuch act, may fuch acts respectively on or before the day fortnight next after meet within a the end of this present session of parliament; and all such meet- fortnight after ings so had shall and are hereby declared to be as good, valid, present session. and effectual, to all intents and purposes whatsoever, as if the commissioners or trustees had met and proceeded to put such acts in execution on the days appointed in and by fuch respective acts; and all acts, matters, and things, which shall be done by fuch commissioners or trustees in the execution of such acts respectively, shall be as valid and effectual in all respects, and to all intents and purposes whatsoever, as if their first meetings had been held on the days appointed by fuch acts respectively.

#### C A P. XXXVII.

An act to indemnify such persons as have omitted to qualify themselves for offices and employments; and to indemnify justices of the peace, or others, who have omitted to register or deliver in their qualifications within the time limited by law, and for giving further time for those purposes; and to indemnify members and officers, in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or mistaid; and for allowing them time to provide admissions duly stamped; and to give further time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors.

WHEREAS divers persons, who, on account of their offices, Preamble. places, employments, or professions, or any other cause or occafron, ought to have taken and subscribed the oaths, or the affurance respectively, appointed to be by such persons taken and subscribed, in and by an act made in the first year of the reign of his late majesty King Persons who George the First, of glorious memory, (intituled, An act for the have omitted further security of his Majesty's person and government, and the to qualify fuccession of the crown in the heirs of the late princess Sophia, themselves being protestants; and for extinguishing the hopes of the pre- agreeable to tended prince of Wales, and his open and secret abettors;) or to act i Geo. 1. have qualified themselves according to an act, made in the thirteenth year of the reign of King Charles the Second, (in:ituled, An act for Act 13 Car. 2. the well-governing and regulating corporations;) or to have qualified themselves according to another act, made in the twenty-fifth year of the reign of King Charles the Second, (intituled, An act for pre- Act 25 Car. 2. venting the dangers which may happen from popish recusants, by receiving the facrament of the Lord's supper, according to the usage of the church of England, and making and subscribing the declaration against transubstantiation therein mentioned;) or according to another all, made in the thirtieth year of the reign of King Act 30 Car. 2. Charles the Second, (intituled, An act for the more effectual preferving the King's person and government, by disabling papists

Anno decimo septimo Georgii III. C. 37. [1772. 368

from fitting in either house of parliament;) or according to another act, made in the eighth year of the reign of his late majesty King

Act & Geo. v. George the First, (intituled, An act for granting the people called Quakers such forms of affirmation or declaration as may remove the difficulties which many of them lie under;) or according to

another act, made in the ninth year of the reign of his late majefly At 9 Goo. 1. King George the Second, (intituled, An act for indemnifying perfons who have omitted to qualify themselves for offices within the time limited by law, and for allowing further time for that purpole; and for amending so much of an act, passed in the fecond year of the reign of his present Majesty, as requires perfons to qualify themselves for offices before the end of the next

term, or quarter sessions; and also for enlarging the time limited by law for making and subscribing the declaration against transubstantiation; and for allowing a further time for inrolment of deeds and wills made by papifts; and for relief of pro-

testant purchasers, devisees, and lessees;) or according to another ast, made in the eighteenth year of the reign of his late majesty King

Act 18 Geo. 3. George the Second, (intituled, An act to amend and render more effectual an act, passed in the fifth year of his present Majesty's reign, intituled, An all for the further qualification of justices of the

peace;) or according to another all, made in the fixth year of the reign and act 6 Geo. of his present Majesty, (intituled, An act for altering the oath of abjuration, and the affurance; and for amending fo much of an act,

made in the seventh year of the reign of her late majesty Queen Anne, intituled, An act for the improvement of the union of the two kingdoms, as, after the time therein limited, requires the delivery of certain lists and copies therein mentioned to persons indicted of

high treason, or misprision of treason;) have, through ignorance of the law, absence, or some unavoidable accident, omitted to take and subscribe the said oaths and assurance, and make and subscribe the de-

claration required by law, or otherwise to qualify themselves as aforesaid, within such time, and in such manner, as in and by the said acts respectively, or by any other act of parliament in that behalf made, is

required, whereby they have incurred, or may be in danger of incurring, divers penalties and disabilities: for quieting the minds of his Majesty's subjects, and for preventing any inconveniences that might otherwise

bappen by means of such omissions; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present par-

passing of this liament assembled, and by the authority of the same, That all and every person or persons, who, at or before the passing of this act, hath or shall have omitted to take and subscribe the said oaths and declarations, or to receive the facrament of the Lord's sup-

per, or otherwise to qualify him, her, or themselves, within such time, and in such manner, as in and by the said acts, or any of them, or by any other act of parliament in that behalf made, is

required; and who, after accepting any fuch office, place, or employment, or undertaking any profession or thing on account of which fuch qualifications ought to have been had, and is required, before the passing of this act, hath or have taken and

**fubscribed** 

act,



subscribed the said oaths, or made the declarations required by law, and also received the sacrament of the Lord's supper, according to the usage of the church of England, or who, on or and who shall, before the twenty-fifth day of December, one thousand seven hun-on or before dred and seventy-seven, shall take and subscribe the said oaths, Dec. 25, 1777, declarations, and assurance respectively, in such cases wherein by selves, law the said oaths, declarations, and assurance, ought to have been taken or subscribed, in such manner and form, and at or in fuch place or places, as are appointed in and by the said act, made in the first year of the reign of his said late majesty King George the First, or by any other act or acts of parliament in that behalf made and provided, and also hath or have received, or shall, on or before the said twenty-fifth day of December, one thousand seven hundred and seventy-seven, receive the facrament of the Lord's supper, according to the usage of the church of England, in such cases wherein the said sacrament ought to have been received, and hath or have made and subscribed, or shall, on or before the said twenty-fifth day of December, one thousand seven hundred and seventy-seven, make and subscribe the faid declaration against transubstantiation, and also hath or have made and subscribed, or shall, on or before the said twentyfifth day of December, one thousand seven hundred and seventyfeven, make and subscribe the said declaration, in the said statute made in the thirtieth year of King Charles the Second, in such cases wherein the said declarations ought to have been made and subscribed, and take and subscribe the oath directed by the said act made in the eighteenth year of the reign of his late majesty King George the Second, in such cases wherein the said oath ought to have been taken and subscribed, in such manner as by the said act is directed, shall be, and are hereby indemnified, freed, and discharged, from and against all penalties, forfeitures, incapacities, and disabilities incurred, or to be incurred, for or by shall be reason of any neglect or omission previous to the passing of this indemnified act, of taking or subscribing the said oaths or assurance, or re- against forceiving the facrament, or making or subscribing the said declarations, or taking or subscribing the said oath, according to the above-mentioned acts, or any of them, or any other act or acts; and fuch person and persons is and are, and shall be, fully and actually recapacitated and restored to the same state and condition as he, the, or they, were in before such neglect or omission, and shall be deemed and adjudged to have duly qualified him, her, or themselves, according to the above-mentioned acts, and every of them: and that all elections of, and acts done, or to be done, by any fuch person or persons, or by authority derived from him, her, or them, are and shall be of the same force and validity as the same, or any of them, would have been if such person or persons respectively had taken the said oath or affurance, and received the sacrament of the Lord's supper, and made and subscribed the said declarations, and taken and subscribed the said oath, according to the direction of the faid acts, and every or any of them; and that the qualification of fuch person or persons.

370

Anno decimo septimo Georgii III. C. 37. qualifying themselves in manner, and within the time appointed by this act, shall be, to all intents and purposes, as effectual as if fuch person or persons had respectively taken the said oaths and assurance, and received the sacrament, and made and subscribed the said declaration, and taken and subscribed the said oath, within the time, and in the manner appointed by the feveral acts before-mentioned.

Not to indemfon for any penalty incurred by neg. lecting to qualify himfelt.

ducing appointments

17779

II. Provided always, That this act, or any thing herein connify any per- tained, shall not extend, or be construed to extend, to indemnify any person against whom final judgement shall have been given, in any action of debt, bill, plaint, or information, in any of his Majesty's courts of record, for any penalty incurred by having neglected to qualify himself within the time limited by law.

III. And whereas the appointments of divers clerks of the peace,

Persons proand admissions before Dec. 25.

town clerks, and other publick officers, and the admissions of divers members, and officers of cities, corporations, and borough towns, or the entries of such admissions in the court books, rolls, or records, of such cities, corporations, and borough towns, which by several acts of parliament are directed and required to be stamped, may not have been provided, or the same not stamped, or may have been lost or mistaid; be it further enacted by the authority aforesaid, That, for the relief of fuch persons whose appointments and admissions, or the entries of whose admissions as aforesaid may not have been provided, or not duly stamped, or where the same have been loft or missaid, it shall and may be lawful to and for such persons, on or before the twenty-fifth day of December, one thoufand seven hundred and seventy-seven, to provide, or cause to be provided, appointments and admissions, or entries of admisfions, as aforesaid, duly stamped: or, in case where such appointments, admissions, or entries of admissions, as aforesaid, have been made or provided, but have not been duly stamped, to produce such appointments, admissions, or entries of admisfions, as aforefaid, to the commissioners appointed to inspect and manage the revenues of the stamp-duties, to be duly stamped; which such commissioners are hereby authorised, impowered, and required, to duly stamp, on payment of the duties first payable, or to have been paid on such appointments, admissions, or entries of admissions, as aforesaid, without any fine or forfeiture, thereon; and such persons so providing appointments, admisfions, or entries of admissions, as aforesaid, duly stamped, or procuring the same to be duly stamped, in manner aforesaid, are and shall be hereby confirmed and qualified to act as clerk of the peace, town clerk, or other publick officer, or member or members, officer or officers, of fuch cities, corporations, and borough towns respectively, to all intents and purposes, and shall and may hold and enjoy, and execute fuch offices, or any other office or offices into which he or they hath or have been elected, notwithstanding his or their omission, or the omission of any of their predecessors, in such cities, corporations, or borough towns, as aforefaid; and shall be indemnified and discharged of and from all incapacities, disabilities, forfeitures, penalties, and da-

mages,

shall be confirmed, and qualified to act as clerk, officer, or member of corporations, etc. may enjoy all offices into wnich they have been elected; and shall be indemnified from all penalties and damages incurred by reason of omiffions.



1777.] Anno decimo septimo Georgii III. c. 37.

mages, by reason of any such omission; and none of his or their

acts shall be questioned or avoided by reason of the same.

IV. Provided always, That this act, or any thing herein con- Not to extend tained, shall not extend, or be construed to extend, to restore or to restore perintitle any person or persons to any office or employment, bene-office avoided fice, matter, or thing whatsoever, already actually avoided by by judgment. judgement of any of his Majesty's courts of record, or already legally filled up or enjoyed by any other person; but that such office, employment, benefice, matter, or thing, so avoided, or legally filled up and enjoyed, shall be and remain in and to the person or persons who is or are now, or shall, at the passing of this act, be legally intitled to the same, as if this act had never been made.

V. And whereas many persons have omitted to cause affidavits to be made, and afterwards to be filed in the proper office, of the actual execution of several contracts in writing entered into by them to serve as clerks to attornies or solicitors, within the time in which the same ought to have been done, and many infants, and others, may thereby incur certain disabilities; for preventing thereof, and relieving such persons, be it enacted by the authority aforesaid, That every per- Persons who fon who, at the passing of this act, shall have neglected or omitted shall cause af-to cause any such affidavit or affidavits as aforesaid to be made filed before and filed, and who, on or before the first day of Michaelmas Michaelmas term, one thousand seven hundred and seventy-seven, shall cause term 1777, one or more affidavit or affidavits to be made, and afterwards to be filed, in fuch manner as the same ought to have been made and filed in due time, thall be, and is hereby indemnified, freed, are indemni-and discharged, from and against all penalties, forfeitures, inca-charged from pacities, and disabilities, in or by any act or acts of parliament, penaities. mentioned and incurred, or to be incurred, for or by reason of fuch neglect or omission; and every such affidavit and affidavits so to be made, and which shall be duly filed on or before the said first day of Michaelmas term, one thousand seven hundred and seventy-seven, shall be as effectual, to all intents and purposes, as if the same had been made and filed within the respective times the same ought, by the laws now in being for that purpose, to have been made and filed.

VI. And be it further enacted, That in case any action, suit, Persons prosebill of indictment, or information, shall, from and after the paf-cuted and fing of this act, be brought, carried on, or profecuted, against hereby meant any person or persons hereby meant or intended to be indemni- nified, may fied, recapacitated, or restored, for or on account of any forfei-plead the geture, penalty, incapacity, or disability whatsoever incurred, or to neral issue, be incurred, by any such neglect or omission, such person or perfons may plead the general iffue, and, upon their defence, give this act, and the special matter, in evidence, upon any trial to

be had thereupon.



#### C A P. XXXVIII.

An act for raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand seven hundred and seventy-leven.

#### C A P. XXXIX.

An act for granting to his Majesty a duty upon all servants retained or employed in the several capacities therein mentioned; and for repealing several rates and duties upon glass, imposed by an act made in the nineteenth year of the reign of his late Majesty, and for granting to his Mnjesty other rates and duties upon glass in lieu thereof, and for the better collecting the duties upon glass; and for repealing the several rates and duties charged by an all made in the twenty-ninth year of the reign of his said late Majesty, upon all persons and bodies politick and corporate having certain quantities of filver plate.

Most Gracious Sovereign,

Preamble:

W E your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, towards raising the necessary supplies, which we have chearfully granted to your Majesty in this session of parliament, have resolved to give and grant to your Majesty the several rates and duties berein-after mentioned; and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the fifth day of July, one thousand seven hundred and seventy-seven, there be paid yearly shall be charged, raised, levied, and paid unto his Majesty, his heirs and successors, after the rate of twenty-one shillings per annum for every male fervant, within the kingdom of Great Britain, who shall then have been, or shall afterwards be, retained or employed in the following capacities; (that is to fay) of maitre d'hotel, house-steward, master of the horse, groom of the chamber, valet de chambre, butler, under-butler, clerk of the kitchen, confectioner, cook, house-porter, footman, running footman, coachman, groom, postillion, stable-boy, and the respective helpers in the stables of such coachman, groom, or postillion, or in the capacity of gardener (not being a day-labourer) parkkeeper, game-keeper, huntiman, whipper-in, whether fuch male fervants thall have been or shall be retained and employed in one or more of the faid capacities, or in any other business jointly with one or more of the faid capacities of a fervant; which faid 155. to be paid fum of twenty-one shillings per annum shall be charged and paid for every such in manner herein-after mentioned; that is to say, every such fervant for the master or mistress shall be charged fifteen shillings for every such fervant so retained or employed within the time which shall and Marchas, elapse between the fifth day of July, one thousand seven hundred and feventy-feven, and the twenty-fitth day of March, one

After July 5, 1777, 21 S. to for every male fervant employed as herein after mentioned.

time between

July 5, 1777,

1778.



1777.] Anno decimo septimo Georgii III. c. 39. thousand seven hundred and seventy-eight; and every such master or mistress shall be charged the sum of twenty-one shillings for every fuch servant which shall be so retained or em-

ployed within every subsequent year, ending on the twenty-fifth day of March; and the said several sums herein-before mentioned shall be levied and paid in every year, within six months subsequent to the twenty-fifth day of March, on which such charges are hereby directed to be made.

II. Provided always, That this act shall not extend to any This act not servant who shall be retained or employed, bona fide, for the to extend to purposes of husbandry or manfactures, or of any trade or cal-fervants emling by which the master or mistress of such servant earn a bandry, malivelihood or profit.

III. Provided also, That the duty hereby granted for every etc. of jobb. thall be paid by the mafter or miffres for whose use the duty for of jobb, shall be paid by the master or mistress for whose use, coachmen, and in whose service, such coachman, groom, postillion, or grooms, etc. helper, shall be employed respectively; and that the duty hereby let out to hire. granted for every gardener, retained or employed by any person or persons who shall contract for the keeping of any garden or gardens, shall be paid by the person or persons for whose use and.

in whose garden such gardener shall be employed.

IV. Provided also, That nothing in this act contained shall Duty to be extend, or be construed to extend, to exempt any person or paid for serpersons from the payment of the duty imposed by this act, in vants employrespect of any servant retained or employed in any of the capa- said, notwithcities aforesaid, on account or under pretence that such servant standing their is or shall be bound as an apprentice to such person or persons; being apprenfave and except such apprentices as are or shall be imposed upon any master or mistress, under and by virtue of the powers given Exception. to magistrates and parish officers by any act of parliament, so as the number of fuch apprentices so imposed upon any master or mistress does not exceed two.

V. Provided also, That this act, or any thing herein con- Butlers, cooks, tained, shall not extend, or be construed to extend, to charge etc. in the with the duty hereby granted, the butler or butlers, manciple, univertities; cook or cooks, gardener or gardeners, porter or porters, of any college or hall within either of the universities of Oxford or Cambridge, or the universities of Edingburgh, Glasgow, Aberdeen, or Saint Andrews in Scotland, or of the several colleges of Westminster, Eaton, or Winchester, or to the servants of his Majesty, Servants of the or any of the royal family, or of any ambassador or foreign mi- royal family, nister residing in the kingdom of Great Britain.

VI. Provided always, and be it enacted, That nothing herein and certain contained shall extend to charge with the duty hereby granted, hospitals, exany of the royal hospitals of Christ, Saint Bartholomew, Bridewell, empted. Bethlebem, Saint Thomas in the city of London and borough of

Southwark, or Guy's, or the Foundling Hospital.

VII. And be it further enacted by the authority aforesaid, Duties to be That the duty by this act imposed as afcresaid shall be affessed, collected by raised, levied, collected, and received by such persons, and shall such persons,

nufactures,

be and paid into



Anno decimo septimo Georgii III. c. 39. [1777. 374

under luch penalties, etc. as are appointby two acts 20 Geo. 2.

the exchequer be paid into his Majesty's exchequer, for the purposes in this act expressed, in such and the like form and manner, and with fuch allowances, and under fuch penalties, forfeitures, and difed for the du- abilities, and according to fuch rules, methods, and directions, ties on houses as are prescribed or appointed for affesting, raising, levying, coland windows, lecting, receiving, and paying, the duties on houses and windows or lights, in and by an act, made in the twentieth year of the reign of his late Majesty, intituled, An act for repealing the several rates and duties upon boules, windows, and lights; and for granting to his Majesty other rates and duties upon houses, windows, or lights; and for raising the sum of four millions four hundred thousand pounds by annuities, to be charged on the said rates or duties; and by another act, made in the twentieth year of the reign of his said late Majesty, intituled, An act to enforce the execution of an act of

this session of parliament, for granting to his Majesty several rates and duties upon houses, windows, or lights; and by an act, made in the

Acts 21 Geo. 2. twenty-first year of his said late Majesty's reign, intituled, An

31 Geo. 2.

2 Geo. 3.

and 6 Geo. 3.

all for explaining, amending, and further enforcing the execution of an act, passed in the last session of parliament, intituled, An act for the repealing several rates and duties upon houses, windows, and lights; and for granting to his Majesty other rates and duties upon houses, windows, or lights; and for raising the sum of four millions four hundred thousand pounds by annuities, to be charged on the said rates or duties; and by an act, made in the thirty-first year of the reign of his said late Majesty, intituled, An all for granting to his Majesty several rates and duties upon offices and pensions, and upon houses, and upon windows or lights; and for raising the sum of five millions by annuities, and a lottery, to be charged on the faid rates and duties; and by an act, made in the second year of the reign of his present Majesty, intituled, An act for granting to his Majesty several rates and duties upon windows or lights; and by an act, made in the fixth year of the reign of his faid present Majesty, intituled, An act for repealing the several duties upon houses, windows, and lights; and for granting to his Majesty other duties upon houses, windows, and lights, or by any of them; and that all and every the powers, authorities, rules, directions, penalties, forfeitures, clauses, matters, and things, now in force, contained in the said several acts, or any of them, for the assesfing, raifing, levying, collecting, and paying the rates and duties thereby granted, shall be in full force, and be duly observed, practifed, and put in execution, throughout the whole kingdom of Great Britain, for the assessing, raising, levying, collecting, and paying the duties upon servants by this act granted, as fully and effectually, to all intents and purposes, as the same are or may be, for the affesting, raising, levying, collecting, and charging the rates and duties granted by the aforesaid acts, or any of them, so far as the said powers, authorities, rules and penalties, are applicable thereunto, and not altered by this act; and that all monies arising by the faid duty granted by this act, (the neceffary charges of raising and accounting for the same excepted,) shall, from time to time, be paid into the receipt of his Majesty's



# 1777.] Anno decimo septimo Georgii III. C. 39.

exchequer at Westminster, distinctly and apart from all other branches of the publick revenue, and shall be carried to, and

made part of, the fund commonly called the finking fund.

VIII. And be it further enacted by the authority aforesaid, Commission-That for the better execution of this act, and for the ordering, fore mention raising, levying, collecting, and paying the duty hereby granted, ed acts, shalf the commissioners authorized or appointed, or who shall be put this act in hereafter authorized or appointed, for putting in execution the execution. faid herein-before mentioned acts, or any of them, shall be commissioners for putting in execution this present act, and the powers therein contained, in all and every the respective counts ties, shires, stewartries, ridings, cities, boroughs, cinque-ports, Time of first towns, and places respectively within Great Britain; and that meeting eter the faid commissioners, in order to the speedy execution of this act, shall, in their respective counties, shires, stewartries, ridings, cities, boroughs, cinque-ports, towns, and places, for which they are or shall be appointed commissioners respectively, meet on or before the thirtieth day of April, one thousand seven hundred and feventy-eight, and shall, in like manner, meet yearly and every year, at such day or time as the said commissioners for the time being shall think proper to appoint, before the thirtieth day of April yearly; and shall then divide themselves to act in separate districts, and proceed in the execution of this present act; for affeifing, raifing, levying, and collecting the duty hereby granted as aforesaid, in such and the same manner as is prescribed by the said before-mentioned acts, or any of them, with respect to the rates and duties thereby imposed.

IX. And it is hereby also enacted, That the said commissiononers shall, in the precepts to be from time to time directed by ers to give no-them to the inhabitants of the parishes or places within their pointment of respective districts or divisions, whom they shall think fit to be assessors. presenters and affessors under the said before-mentioned acts, or any of them, cause notice to be inserted, that such persons are to be appointed affessors of the duty upon servants granted by

this act.

X. And be it further enacted by the authority aforesaid, That Affestors to fuch persons to be appointed assessors as aforesaid, shall, within give notice in fourteen days after such their appointment yearly, give or leave writing to notice or warning in writing, to or for the master or mistress of to produce every servant on whom a duty is imposed by this act, within the lifts of their limits of the places for which such assessors are to act, at his or servants emher dwelling house, to prepare and produce, within the space of ployed within fourteen days then next enfuing, a lift in writing of his or her etc. fervants retained or employed within the faid parish or district, describing the number by him or her retained or employed, the christian and surname of each servant, and the office or capacity in or for which each servant is retained or employed; every fuch lift to contain the greatest number of servants at any one time retained and employed in the course of the year, ending on the twenty-fifth day of March in each preceding year; and that every fuch mafter or miftress do and shall, after fuch notice Vol. XXXI. Dd

376

How affeffors cale maiters neglect to de-

Anno decimo septimo Georgii III. c. 39. so given or left, make out a list of his or her servants accordingly, and fign the same with his or her own hand, and deliver the fame, or cause the same to be delivered, to such affessor or affesfors: and in case any such master or mistress shall neglect or to proceed, in refuse to make out, figu, and deliver such list within the time before-mentioned, then such affestor or assessors shall, from the liver such lists, best information he or they can obtain, make an affestment upon fuch master or mistress so refusing or neglecting, for or in respect of the number of servants so retained or employed by such master or mistress, distinguishing them by their christian and furname, and their respective employments; and every such asfessment so made upon any such neglect or refusal shall be final and conclusive upon such master or mistress, who shall not be at liberty to appeal therefrom, unless such master or mistress shall prove that he or she were not at their respective dwelling-houses at the time of the delivery of such respective notices, nor between that day and the time limited for their delivering their respective lists to the assessor; or unless such master or mistress shall alledge and prove such other excuse for not having delivered their lifts as the commissioners in their judgement shall think reasonable and sufficient.

Lists to contain the greatest number of fervants em. the time to which they relate.

XI. Provided always, That the lifts which shall be delivered in manner herein-before mentioned by order of the said commissioners, and which shall be for the space of time which shall ployed during elapse between the fifth day of July, one thousand seven hundred and seventy-seven, and the twenty-fifth day of March, one thousand seven hundred and seventy-eight, shall contain the greatest number of servants which such master or mistress shall at any time have retained or employed between the faid fifth day of July, one thousand seven hundred and seventy-seven, and the faid twenty-fifth day of March, one thousand seven hundred and feventy-eight.

Commissioners, on application, to grant relief to persons who have been affeffed in different places for the fame fervants.

XII. And whereas many masters and mistresses, who will be chargeable with the duty imposed by this act, have or may have divers houses or places of residence in different parts of the kingdom, and some of their servants may be stationed and resident in such respective houses or places of residence, and others of them may be removed from time to' time to attend upon their said masters or mistresses, or their business: and whereas other masters or mistresses keeping servants may from time to time change their houses, lodgings, or places of abode: therefore, to the end that no person may be obliged to pay for the same servants, or others coming in their room, in more parishes or districts than one within the same year; be it enacted by the authority aforesaid, That if any mafter or mistress, having been assessed in one parish or district for his or her servants retained or employed within the same, shall happen to be again assessed in another parish or district for or in respect of such servants, or any of them; in such case the commissioners for the district wherein the house, lodging, or place of residence or abode of the master or mistress affelled shall be situated, or the majority of the commissioners present at any application for this purpose, may and are hereby



1777.] Anno decimo septimo GEORGII III. C. 39.

required to alter any affestment, on proof given before them that the faid master or mistress hath paid the duty imposed or intended by this act, for or in respect of such servant or servants, in another place, and in what place specifically, or hath teen affesfed for the same; which proof shall be made, as to the fact of payment, by producing a receipt figned by the collector to whom the same payment was made, or in default thereof by other reasonable evidence to the satisfaction of the commissioners, or the majority of them, before whom such evidence shall be offered; and the aforesaid proof, as to the fact of the party having been affested elsewhere, shall be made in like manner, either by producing a copy or certificate of the affestment, signed by two or more commissioners of the district for which such assessment had been made, which copy of certificate the clerk thent attending the faid commissioners shall deliver gratis to the party requiring the same; or in default of such copy or certificate, then fuch proof shall be made by other evidence to the satisfaction of the commissioners present, or the majority of them.

XIII. And whereas divers noblemen, gentlemen, and others, retain Directions for or employ grooms, flable-boys, and other servants, to look after and affelling noattend upon horses or hounds at many places within this kingdom where blemen, etc. they themselves have no houses or places of residence; be it therefore servants at enacted by the authority aforesaid, That it shall and may be places where lawful for the affessor or affessors, within and for such districts or they have no places respectively, to deliver or leave such notice as is herein-houses. before directed to be given, at the house or houses where such grooms, stable-boys, or other servants usually reside; and that all and every of such noblemen, gentlemen, and others, shall deliver, or cause to be delivered, a list or lists, signed by them respectively, specifying the number of servants so retained and employed by them for the purposes aforesaid, to the affessors within and for the respective districts or limits where such servan's shall usually reside, and the assessments for and in respect of fuch fervants shall be made and delivered by the affesfors within

and for such respective limits or districts.

XIV. And it is hereby further enacted and declared by the in case the authority aforesaid, That such affessors as aforesaid shall not be litts delivered bound by such lists as shall be delivered to them respectively in to the affections pursuance of this act, but shall be at liberty, in case they shall deficient, they find upon due examination that any servant or servants are omit- may furchaige ted in fuch lifts, to furcharge the same, and make a true affest- the same. ment upon every master and mistress within their respective diftricts of the real number of servants so retained or employed by fuch master or mistress, distinguishing the christian and surname of such servant or servants, and their respective employments; Affestors to and shall from time to time make and deliver in writing their deliver their and that from time to time make and deliver in writing the affestments to or limits for which they are respectively to act as aforesaid, unto fioners within the faid commissioners, or any two or more of them, within the 3 months after space of three calendar months next after the time of their being their appointso appointed affessors; and that the faid commississioners to whom ment.



Anno decimo septimo Georgii III. c. 39. [1777.

Commissioners to fign the fame and appoint collectors, etc.

378

fuch affessments shall be so delivered, or any two of them, shall, within the space of one calendar month next after the receipt of the same respectively, or as soon after as conveniently may be, fet their hands to the said respective assessments, and to such furcharge or furcharges as shall or may have been made in the mean time, either by the same assessors, or by such surveyor or furveyors as herein-after is or are mentioned, testifying their al-Iowance of the same; and shall likewise nominate and appoint two of the persons named in each of such affessments to be collectors, or any other two fuch persons as they shall think able and responsable, for the respective divisions and places for which they shall be so presented; and shall forthwith deliver, or cause to be delivered, such affessments so by them allowed of, unto the respective persons by them nominated to be collectors for the year ensuing, who are hereby enjoined and required to collect and pay the duties hereby affeffed, and to give acquittances for the same.

Surveyors unmentioned acts may inspect the lifts figned, and amend them.

XV. And be it further enacted by the authority aforefaid, der the before- That all and every furveyor and furveyors appointed and to be appointed under or by virtue of the said several acts herein-before mentioned, or any of them, for the rates and duties thereby before they are imposed, shall be, and he and they are and is hereby impowered and authorised to inspect and examine any list or lists to be made out and figned by any such master or mistress as aforesaid, or any affestment or affestments for any parish or place, before the commissioners shall have signed and allowed the same, and to alter and amend any fuch lift or lifts, affestment or affestments, if he or they shall see just cause for so doing, by specifying the christian and furname of each fervant to be added to or taken from fuch list, together with their respective employments; and every perfon, in whose custody any such lists or assessments shall be, is hereby required, upon the request of any such surveyor or surveyors as aforefaid, to produce the fame: and if any fuch furveyor or furveyors shall, after any such list or lists, assessment or affestments, shall be so respectively made out, signed, and allowed as aforesaid, find or discover, upon his or their survey or examination, that any master or mistress, that should and ought to be charged with the faid duty hereby granted, shall have been omitted to be charged therewith, or shall have been under-rated, fuch furveyor or furveyors shall certify the same in writing under his hand, together with the christian and surname and the employment of each fervant, by way of furcharge, to any two or more of the said commissioners, in order to have such omission or under-rate certified in the faid affessment, and such commissioners are thereupon to cause the same to be rectified, and the duties levied accordingly.

If furveyors discover any omiffions after the lifts are figned, they are to certify the same to the commissioners, etc.

Masters to be doubly rated for those fervants they omit in their lifts.

XVI. And to the end that every master and mistress may deliver, or cause to be delivered, to the assessor or assessors, a true list of their respective servants, according to the intent of this act, be it further enacted by the authority aforeiaid, That in all cases where any affeifor or furveyer thall make a furcharge upon any mafter or miltrefs.



# 1777.] Anno decimo septimo Georgii III. c. 39.

mistress, for or in respect of any servant or servants omitted to be inserted in any such list, such surcharge shall be made after One half of the rate of two pounds two shillings an head for every such fer- which furvant so omitted; and the affestor or surveyor so making such sur-allowed the charge shall be, and is hereby intitled to, and shall have and affestor or furreceive, to and for his own use, one pound one shilling of every veyor making fuch surcharge which shall be justly made upon any such list.

XVII. Provided always, and be it hereby further enacted, Surveyors or That nothing in this act contained shall be construed to autho- affessors not to rife or impower any surveyor or assessor to enter the dwelling-dwellinghouse, outhouses, or garden, of any person, for the purpose or house, etc. to under the pretence of inspecting or examining the number of examine the

fervants retained or employed by fuch person.

XVIII. And be it further enacted by the authority aforesaid, servants. That if any person or persons shall think himself, herself, or Persons overthemselves respectively overcharged or over-rated by any affest- rated may apment, charge, or surcharge, to be made by virtue or in pursu-commissionance of this act, it shall be lawful for him, her, or them respec-ers. tively, to appeal to the said commissioners; and that the said commissioners, or any two or more of them, shall and they are hereby required to hear and determine all fuch appeals, except where it shall appear to the said commissioners that the master or mistress had omitted to deliver in their lists, and shall not assign sufficient cause to the satisfaction of the commissioners for such omission in manner herein-before mentioned; provided that at Appellant to the time of hearing the same, a list shall be produced, by or on deliver, on the part of the appellant, upon oath, of the greatest number of oath, a lift of fervants of such appellant, within the district or limits of the greatest fervants of fuch appellant, within the district or limits of the number of places where such appeal shall be made, subject to the duty hereby servants emgranted, that shall have been retained or employed by him or ployed, etc. her at any time between the fifth day of July, one thousand seven hundred and seventy-seven, and the twenty-fifth day of March, one thousand seven hundred and seventy-eight, with respect to the space of time which shall elapse between the said fifth day of July, one thousand seven hundred and seventy-seven, and the faid twenty-fifth day of March, one thousand seven hundred and seventy-eight; or with respect to any future year, the greatest number of servants which shall have been so retained or employed by him or her within the year preceding the twenty-fifth day of March in every such year, with a description of the occupation of each servant, and of the capacity in which such servant shall have served; and that all such appeals shall be heard and determined on the days appointed, and in the manner directed by the several acts herein-before mentioned, with respect to the duties on houses, windows, or lights.

XIX. And be it further enacted by the authority aforesaid, Commission-That the faid commissioners, or any of them, shall not, upon ers not to the hearing of any appeal, make any abatement or defalcation abatement in in the charge, or surcharge, made upon any person by such as- the charge, festment as aforesaid, or the surcharge of any such surveyor or etc. unless it furveyors as aforesaid, but the same thall stand good and remain thall appear,

number of

part on oath, that

Dd3



Anno decimo septimo Georgii III. C. 39. 1777.

the appellant is ster raced.

Ten days notice to be given of appeal.

Commissioncales, may remit the penaity before paid to the alichor, etc.

Penalty on furveyors, etc. for making a faile turcharge.

Determination of comanitioners to be final;

Except, etc.

Perfons diffatisfied may, in England, appeal to the cou-tot King's Bench;

part of the annual affeifment, unless it thall then appear to the faid commillioners, by examination upon oath, that fuch person is over-rated in and by such affestment or surcharge; and every person intending to appeal to the said commissioners, shail, and is hereby required to give at the least ten days notice thereof to the faid surveyor, or to one or more of the affeitors of the parish or place wherein such person is rated, of such intention to appeal; and fuch furveyor and affestors may then and there attend to justify the laid affestment and surcharge; and such surveyor and affestors, and appellant, shall have full and free liberty to be prefent during all the time of hearing fuch respective appeals, and of the said commissioners determining the same: and the said ers, in certain commissioners are hereby authorized and impowered upon every fuch appeal, although they shall confirm the surcharge of such affestor or surveyor, upon the application of any such master or directed to be mistress, to remit and strike off the said penalty of one pound one shilling herein-before directed to be paid to such affessor or furveyor furcharging fuch lift, in case they shall be of opinion that there was any doubt whether fuch fervant or fervants fo furcharged was or were rateable within the meaning of this act, and were not wilfully omitted by fuch master or mistress out of fuch lift or lifts.

XX. Provided always, and be it further enacted, That if, on fuch examination on the hearing such appeal, it shall appear to the faid commissioners that such surcharge was falsely and vexatiously made; then, and in such case, such surveyor or affessor so furcharging shall forfeit and incur such penalties and punchment as in and by the herein-before mentioned acts are directed to be inflicted on surveyors or affellors for neglect of duty.

XXI. And be it further enacted by the authority aforesaid, That all appeals once heard and determined by the faid commillioners, or any two or more of them, or the m jor part of them then present, on the day or days by them appointed for hearing of appeals, shall be final (except as is herein-after directed.

XXII. And be it further enacted by the authority aforesaid, That it either the faid surveyor, or the person so appealing, in that part of Great Britain called England, or in Wales, or in Berwick upon Tweed, shall apprehend the determination made by the faid commissioners to be contrary to the true intent and meaning of this act, and shall then declare himself or herself dissatisfied with such determination, it shall and may be lawful to and for fuch furveyor or person respectively to require the said commissioners to state specially, and sign the case upon which the question arose, together with their determination thereupon; which case the said commissioners, or the major part of them then prefent, are hereby required to state and sign accordingly, and to cause the same to be delivered to the party making such request, as aforesaid, to be by him transmitted to one of the juflices of the court of King's Bench, or Common Pleas, or to one of the barons of the court of Exchequer for the time being; and every



# 1777.] Anno decimo septimo Georgii III. c. 39.

every such justice and baron is hereby required, with all convenient speed, to return an answer to such case so transmitted, with his opinion thereupon subscribed thereto; according to which opinion fo certified, the assessment, which shall have been the cause of such appeal, shall be altered or confirmed: and that if and in Scoteither the faid surveyor, or the person so appealing, in that part land to the of Great Britain called Scotland, shall apprehend the determina- sion. tion made by the said commissioners to be contrary to the true intent and meaning of this act, and shall then declare himself or herself diffatisfied with such determination, it shall and may be lawful to and for fuch furveyor or person distatisfied respectively, to require the faid commissioners, or the major part of them then present, to state specially and sign the case upon which the question arose, together with their determination thereupon; which case the said commissioners are hereby required to state and sign accordingly, and to cause the same to be delivered to the party making such request as aforesaid, to be by him transmitted to one of the judges of the court of Seffion, or of the barons of the Exchequer in Scotland; and every such judge and baron is hereby required, with all convenient speed, to return an answer to such case so transmitted, with his opinion thereupon subscribed thereto; according to which opinion so certified the assessment, which shall have been the cause of such appeal, shall be altered or confirmed: provided always, That notwithstanding any such case so transmitted to any of the said justices, judges, or barons, the determination of the faid commissioners shall stand with respect to the payments which shall become due precedent to the opinion certified by any such justice, judge, or baron, upon such case.

XXIII. And whereas by an act of parliament made in the nine- Recital of an teenth year of the reign of his late majesty King George the second, Actin'in Geo. (intituled, An act for granting to his Majesty several rates and 2. duties upon glass, and upon spirituous liquors; and for raising a certain fum of money by annuities, and a lottery, to be charged on the faid rates and duties; and for obviating some doubts about making out orders at the exchequer for the monies advanced upon the credit of the falt duties, granted and continued to his Majesty by an act of the last session of parliament,) it was amongst other things enacted, That there should be raised, levied, colletted, and paid unto and for the use of bis Majesty, his heirs and succissors, the several rates and duties therein expressed on all glass imported into Great Britain, and the several other rates and duties for and upon all the materials or metal, or other preparations what soever, made use of in the making of all crown, plate, and flint glass, and ail white glass, and in making of common bottles, and all other green glass in Great Britain ; we, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament offembled, do think it would be for the advantage of the publick to repeal the present rates and duties upon glass imported into Great Britain, and upon the materials or metal made use of in making the several forts of glass in the said recited ast mentioned, and to grant unto your Majesty, in lieu thereof, the several new and additional rates and duties herein-after mentioned; Dd4



Anno decimo septimo Georgii III. c. 39. [1777-

From July 5, 1777, the du ties on glass imported, etc. before recited act, to ceafe.

and also that further regulations should be established for the better collection of the said duties : be it therefore enacted, That, from and after the fifth day of July, one thousand seven hundred and seventy-seven, the before-mentioned duties upon glass imported, and granted by the upon the materials or metal used in making the several forts of glass, granted by the said recited act, shall cease, determine, and be no longer paid or payable, fave only and except in all cases relating to the recovering any arrears which may at that time remain unpaid of the faid rates and duties upon glass, or to any penalties or forfeitures in respect thereof, which shall have arisen or grown due and payable to his Majesty, or may have been incurred upon, or at any time before the faid fifth day of July, one thousand seven hundred and seventy-seven, any thing hereinbefore contained to the contrary notwithstanding.

New duties to thereof.

XXIV. And be it further enacted by the authority aforesaid, be paid in heu That in lieu thereof, from and after the faid fifth day of July, one thousand seven hundred and seventy-seven, there shall be raised, levied, collected, and paid unto and for the use of his Majesty, his heirs and successors, for and upon all glass which shall at any time or times hereafter be imported, or brought into the kingdom of Great Britain, over and above all other customs, subsidies, and duties, by any act or acts of parliament (now in force and not hereby repealed) imposed upon or payable for the same, the several and respective rates or new duties herein-after expressed; (that is to say) for and upon all plate, enamel, stained, and paste glass, and upon all window glass, whether flashed or spread, or otherwise manufactured, and upon all other white glass, and upon all cakes which shall be imported and brought into Great Britain, the sum of one shilling and four-pence for every pound weight, and after that rate for a greater or leffer quantity; and for and upon all green glass; and for and upon all bottles and flasks, whether the same be filled or empty, which will contain the quantity of a quart, respectively, which shall be imported and brought into Great Britain, the sum of four shillings for every dozen; and for and upon all bott es and flasks, whether the same be filled or empty, which will contain more or less than a quart, which shall be imported and brought as aforefaid, the sum of four shillings for every dozen quarts, be the quantity of bottlesgreater or leffer; the faid several and respective rates and duties to be paid by the importer or importers thereof respectively.

Foreign glafs liable to any duty, which Mali be imported clandeltinely, to be torferted;

XXV. And, in order the better to prevent the clandestine importation of any foreign glass, be it enacted by the authority aforesaid, That in case any foreign glass of any kind, liable to the payment of any customs, subsidies, or duties, by any act or acts of parliament, or law what oever, so imported as aforesaid, shall be landed or put on thore out of any thip or veffel, or unthipped with intent to be put on shore, before due entry be made thereof at the custom-house, in the port or place where the same shall be imported, and the respective duty or duties payable for the same shall be paid or secured, or without a warrant for the landing or



## 1777.] Anno decimo septimo Georgii III. C. 39.

delivering of the same, first signed by the commissioners, collectors, or other proper officer or officers of the customs respectively; all such glass as shall be so landed or put on shore, or taken out of any ship or vessel, contrary to the intention of this present act, shall be forfeited, or the value thereof, and shall or may be feized or recovered of the importer or proprietor thereof, by any officer or officers of the customs or excise; and moreover the and the master master, mate, or other person or persons taking the charge or of the vessel, command of such ship or vessel, and all and every other person etc. to forfeit or persons who shall be any ways concerned, or aiding or affist- 100 l. ing, in such unshipping or landing of such glass as aforesaid, shall, for every such offence, forseit and lose the sum of one hundred

pounds.

XXVI. And be it further enacted by the authority aforesaid, New duties That, from and after the said fifth day of July, one thousand se- on the mateven hundred and seventy-seven, there shall be raised, levied, col- rials used in making of lected, and paid unto and for the use of his Majesty, his glass. heirs and successors, for and upon all the materials or metal, or other preparations whatfoever, by what name foever they now are, or hereafter may be called or known, which shall hereafter be made use of in the making of glass in Great Britain, (over and above all other rates and duties) by any act or acts of parliament (now in force and not hereby repealed) imposed upon or payable for the same, the several and respective additional rates or new duties herein-after expressed; that is to say, for and upon all the materials or metal, or other preparations whatfoever, by what name soever they now are, or hereafter may be called or known, that shall hereafter be made use of in the making of all plate or flint glass, and of all enamel, stained, or paste glass, and Plate glass of all phial glass, commonly called or known by the name of etc. Apothecary or other phials, the fum of eighteen shillings and eight-pence for every hundred weight, and after that rate for a greater or less quantity; and for and upon all the materials or metal, or other preparations whatfoever, by what name foever they now are, or hereafter may be called or known, that shall hereafter be made use of in the making of spread window glass, commonly called or known by the name of Broad Glass, a duty Broad glass. of seven shillings for every hundred weight, and after that rate for a greater or leffer quantity; and for and upon all the materials or metal, or other preparations whatfoever, by what name soever they now are, or hereafter may be called or known, that shall hereafter be made use of in the making of all other window glass, (not being spread glass), whether flathed or otherwise manufactured, and commonly called or known by the name of Crown Gluss, a duty of fourteen shillings for every hundred Crown glass. weight, and after that rate for a greater or leffer quantity; and for and upon all the materials or metal, or other preparations whatfoever, by what name foever they now are, or hereafter may be called or known, that shall hereafter be made use of in the making of glass now called German Sheet Glass, a duty of four- German sheet teen shillings for every hundred weight, and after that rate for a glats.

greater

Anno decimo septimo Georgii III. c. 39. [1777.

greater or leffer quantity; and for and upon all the materials or metal, or other preparations whatsoever, by what name soever they now are, or hereafter may be called or known, that shall Common Bot. hereafter be made use of in the making of common bottles, (the same not being phials), and of vessels made use of in chymical laboratories, and of garden glasses, and of all other vessels or utenfils made of common bottle metal, the fum of three shillings and fixpence for every hundred weight, and after that rate for a greater or leffer quantity; the faid several and respective rates and duties to be paid by the maker or makers thereof respectively.

Makers of glass to enter their names, furnaces, etc as directed by the an. e.recited act.

XXVII. And be it further enacted by the authority aforesaid, That all and every person or persons, who, from and after the said fifth day of July, one thousand seven hundred and seventy-seven, thall become a maker or makers of glass, shall make such entry and entries, in writing, of their respective names, and of their respective furnaces, pots, pot, chambers, warehouses, rooms, and other places, for making or keeping of glass, or of materials mixed and prepared for making of glass, and give like notice before they use any pot or pots, for the preparing or making of glass, as makers of glass were by the said recited act directed to make; on pain of forfeiting, for every neglect, as by the faid recited act is directed.

Directions relating to making entries, oaths, etc.

XXVIII. And whereas in and by the faid recited act, it is, among ft other things, enacted, That all such entries, oaths, or affirmations, therein mentioned, as should be made in all other parts of Great Britain, without the limits of the weekly bills of mortality, should be made with or by the respective collectors or supervisors of the district or division within which therespective makers of glass, should inhabit: and whereas makers of glass, or some of the partners, often inhabit out of and at such distance from the district or division wherein such glass was made, as to render it difficult to carry the said provisions into execution; for remedy whereof, be it further enacted by the authority aforefaid, That all such entries, oaths, and affirmations, in and by the said recited act required to be made in all other parts of Great Britain, without the limits of the weekly bills of mortality, shall be made with or by the respective collectors or supervisors of the district or division, within which the respective glasshouses shall be situate, any thing therein contained to the contrary notwithstanding, and shall be made without any fee or charge whatfoever to be demanded or taken for the same.

New duties to in like manner, and under fuch penalties and are prefcribed by the aboverecited act:

XXIX. And be it further enacted by the authority aforesaid, be raised, etc. That the faid several duties by this act imposed within and throughout the faid kingdom of Great Britain, thall be raised, levied, collected, and paid, and be subject to be drawn back upon the exportation of such glass, (except in such cases where it is otherwise forteitures, as directed by this present act), in such like form and manner, and with fuch allowances, and under fuch penalties and forfeitures, and according to fuch rules, methods, and directions, as are prescribed or appointed for raising, levying, collecting, and paying the feveral and respective duties upon glass, in and by the faid recited act and this act; and all and every the powers, autho-

rities,



## 1777.] Anno decimo septimo Georgii III. c. 39:

rities, rules, directions, penalties, forfeitures, clauses, matters, and things therein mentioned, for managing, raifing, levying, collecting, mitigating, recovering, adjudging, afcertaining, and paying the several and respective rates and duties thereby granted (other than in fuch cases only for which other penalties Except, etc. are prescribed in and by this present act) shall be in full force, and be duly observed, practised, and put in execution, to all intents and purpofes, as well as for managing, raising, levying collecting, mitigating, recovering, and paying the feveral rates and duties by this act granted, as fully and effectually as if the faid act, and all and every the faid powers, authorities, rules, directions, methods, penalties, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in the body of this present act; and all the monies arising by the several rates Duties grantand duties by this act granted, (the necessary charges of raising, ed by this act collecting, and accounting for the same excepted) shall, from to be paid into time to time, be paid into the receipt of his majesty's exchequer separately. at Westminster, distinctly and apart from all other branches of the

publick revenue.

XXX. And whereas the duties upon glass, granted by the afore-recited all of the nineteenth year of the reign of his late majesty king George the second, were, together with certain duties upon spirituous liquors, made a fund for the payment of the several annuities granted by the said act; and by an act of the twenty-fifth year of the reign of his Said late Majesty king George the second, the same were directed to be carried to the sinking fund, after reserving sufficient to answer and pay such annuities on lives at the exchequer as were established by the afore-mentioned att of the nineteenth year of his faid late Majesty; be it therefore enacted by the authority aforeiaid, That, from 63,0781. 8s. and after the fifth day of July, one thousand seven hundred and 8d. out of the seventy-seven, the yearly sum of fixty-three thousand and seventy-granted, to be eight pounds, eight shillings, and eight-pence, being the amount applied in the of the annual produce into the exchequer of the duties upon fame manner glass, hereby repealed, shall, by half-yearly sums be reserved as the former and set apart, at the said receipt of the exchequer, on the fifth day of January and the fifth day of July in every year, out of the duties hereby granted, and shall be applied to the same uses and purposes as the duties hereby repealed were applicable; and the and the resiresidue of the produce of the duties hereby granted shall be car- due to be carried to and made a part of the fund commonly called The Sinking finking fund. Fund, towards making good to the same the charge thereupon for payment of such annuities as shall or may be charged on the faid fund by any act of this session of parliament.

XXXI. And whereas, in the manufacturing of all forts of glafs, part of the metal and other materials used for making of glass, are left at the bettom of each pot used for preparing and mixing the same, which cannot be conveniently wrought out, and other waste doth necessarily bappen in the manufacturing of those materials, and the allowances by the faid recited att given and provided are not jufficient; it is hereby further enacted and provided, That in all pots, containing more Allowances to

than one hundred weight, used for the preparing and mixing of be made to the metal makers of



386 glass for wate.

Anno decimo septimo Georgii III. C. 39. [1777metal and other materials for making of flint, enamel, stained glass, and of all phial glass, an allowance shall be made to the makers of such glass of one-fourth part of the metal or other materials contained therein, and of one inch deep at the bottom of every such pot; and in small pots, commonly called Pile Ends, which will not contain one hundred weight, and used as aforesaid, an allowance shall be made to such makers of onefifth only of the metal or materials contained therein; and in pots used for the making of crown and plate glass, and of all window glass, whether flashed or spread, or otherwise manufactured, an allowance shall be made to such makers of one-fourth part of the metal or other materials contained therein, and of four inches deep at the bottom; and in potsused for the making of common bottles (not being phials) and of other vessels or utenfils herein-before mentioned, to be made of common bottle metal, an allowance shall be made to the makers thereof of one-fifth part of the metal or other materials contained therein, and three inches deep at the bottom of every such pot; and the respective commissioners for the inland duties on glass in Great Britain are hereby authorised and required to make the respective allowances herein directed; which allowances are hereby declared to be in full compensation for all waste, damage, or loss whatsoever, except the allowance by the faid recited act made and provided where pots used for the preparing and mixing of metal and other materials for making of glass shall crack or break.

Glafs-makers materials left in the bottom of their pots, after having given notice to the proper officers of excilc.

XXXII. And be it further enacted by the authority aforesaid, may work-up That if any maker of glass shall be desirous of manufacturing or working-up any of the metal or materials that shall be left in the bottom of any pot or pots, for which the allowance shall have been made of three inches or four inches at the bottom of fuch pots respectively to the maker as aforesaid, into any glass wares whatever, and shall, by the space of six hours next before he, she, or they, begins to work the same, give notice in writing to the officer of excise of the division or place where such glass shall be so manufactured or worked, of his, her, or their intention to manufacture or work the same, specifying in such notice the particular 'manufacture or work he intends to make from fuch bottoms, and from which pot or pots, and the particular time of beginning to work the same; then, and in every such case, it shall and may be lawful for every such maker of glass to manufacture and work the said bottoms and the metal and materials in the said bottoms shall, in such case, be chargeable and be charged by the officers for the said duties with the duty of eighteen shillings and eightpence for every hundred weight, and so in proportion for every greater or lesser quantity; and in every such case, an allowance shall be made to such makers of glass of one inch, and no more, at the bottom of every fuch pot; any thing herein-before contained doing it, with- to the contrary notwithstanding: and if any maker of glass shall manufacture or work any part of the metal or materials that shall be left at the bottom of any such pot or pots as aforesaid, without having given such notice as herein is directed and re-

quired.

Penalty on out giving proper notice.



1777.] Anno decimo septimo GEORGII III. c, 39. quired, such maker of glass shall forfeit and lose, for every such

offence, the fum of fifty pounds.

XXXIII. And whereas some makers of glass, in giving notice under the directions of the faid recited act, have neglected or refused to specify the true kind and weight of the metal or preparation put into each particular pot used for the making of glass, and have also put in metal or materials into the pot or pots after a gauge of the metal therein hath been taken by the officer, under pretence that the same were moyles of glass of the present or of some former making, by which means the revenue is greatly defrauded; for remedy whereof, it is hereby enacted and declared, That every maker of glass shall, in every nother notice to tice hereafter to be given, express in writing the particular time be given by and hour when he intends to begin to fill or charge his pot or glass-makers pots, and the account of the true weight of the metal or prepa- before they ration to be made use of in each particular pot used for the ma- charge their king of glass, and the species and particular kind of glass intended to be made in each pot : and if any maker of glass shall neg- Penalty on lect or refuse to give the notice by this present act, and the said neglect. recited act, directed and required, or after fuch notice given, and a gauge taken by the officer of the metal or preparation in their pots shall, without a fresh notice in writing, put into any such pot any metal, material or preparation whatfoever, every fuch maker of glass shall, in every such case, forfeit and lose the sum of fifty pounds.

XXXIV. And for the more effectual ascertaining the weight and species of the materials or metal, or other preparations made use of in the making of glass, and preventing frauds which may be committed therein. or in relation to such notice and account hereby required to be respectively given, and in order that the same may be properly examined, be it further enacted by the authority aforesaid, That it shall and Officers of exmay be lawful to and for the gaugers, or other officers of excise, cise may take to take a fample or famples, not exceeding four ounces in the a fample of whole, out of each of the faid pots, or any other thing containing out of each fuch preparations for making glass as aforesaid, paying for such pot, etc. sample or samples (if demanded) the sum of one halfpenny for each ounce; and in case any person or persons shall obstruct or Penalty on hinder the gaugers, or other officers of excise, in taking such obstructing sample or samples, he, she, or they shall respectively forfeit, for them.

every fuch offence, the fum of fifty pounds.

XXXV. And whereas it was further provided by the Said act, That it should be lawful for any person or persons who should have actually paid his Majefly's duties by the Said act payable for any quantity of glass what soever made from any of the materials thereby charged, and to and for any other person or persons, who should buy, or be lawfully intitled to any such quantity of glass from the said person or persons who actually paid his Majesty's duties for the same, to export such glass for any foreign parts, by way of merchandize, upon the terms, and according to the directions, and with fuch drawback and allowance, as are therein expressed: and whereas glass is often exported in such quantities according to the demands of the markets beyond the feas, and the manner hereby prescribed for obtaining such drawback and allowance is attended with difficulty to the exporters; for the encouragement therefore of



## Anno decimo septimo GEORGII III. c. 39. [1777.

Any person who has paid the duties granted by this act, and the recited act, for any quantity of gials, may export the fea-port, etc. near the glasshoule,

in the prefence of an officer of excule :

And on proving that the duty hath been paid, ctc.

the collector shall give a certificate;

on producing whereof to the officer of excise at the port of exportation, etc.

and on giving security that the whole of the faid glass shall be exported, etc.

the glass manufacturers and exporters of glass in Great Britain, be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, who have actually paid or been charged with his Majesty's duties by this present act, or by the faid recited act respectively, payable for any quantity of glass whatsoever, made from any of the materials thereby respectively charged, and to and for any other person or persons who shall buy, or be lawfully intitled to any such quantity of glass, from the said person or persons who actually paid his Masame from any jesty's duties for the same, to export such glass for any foreign parts, by way of merchandize, in any feaport, or upon any navigable river near to which such glass-house shall be situated, within any of the usual and allowed ports by law established, for and upon account of himself or any other, in the presence of an officer of excise, to be appointed by the respective commissioners of excise in Great Britain, upon twelve hours notice thereof being given to the faid officer of excise within the limits whereof the faid glass shall be exported (who is hereby impowered and required to see the said glass weighed); and proof being made upon oath, or by affirmation, in case the person be a known quaker, by the clerk or chief manager of the respective glass-house where fuch glass was made, that the duty of such glass hath been respectively paid or charged according to the directions of this prefent or the faid recited act, expressing the quantity and weight of fuch glass; and also like outh or affirmation by such clerk or chief manager, or of one or more person or persons having knowledge of the packing and intended exportation thereof, expresfing the quality and weight of fuch glass, and that no broken nor waste glass hath been packed with, nor is included in, any box, grate, or other package containing the faid glass, and that the same glass is to be really and truly exported beyond the seas as merchandize; and thereupon the collector for the faid duties upon glass, or such other person or persons as shall be deputed by the faid respective commissioners of excise to act in his absence, shall give to such person or persons gratis a certificate or certificates, expressing the qualities and weight of such glass, and that the duties are paid, or charged for the same as aforesaid; which certificate being produced to the officer of excise at the port where the faid glass shall be exported, and oath or affirmation as aforesaid being made by the exporter, or his clerk or chief manager, before the officer of excite of the faid port (who is hereby authorifed and required to administer the same without any fee or charge) that the faid glass so exported is the same mentioned and described in the said certificate, and sufficient security being given before the shipping thereof for exportation, to be approved of by the said respective commissioners of excise, or the person or persons to be respectively appointed by them for that purpole, in treble the value of the duty intended to be drawn back, that the particular glass which shall be intended to be exported as aforefaid, and every part thereof, shall be shipped and exported, and that the same, or any part thereof, sha'l not be relanded or brought again into any part or parts of Great Britain: which



#### Anno decimo septimo Georgii III. c. 39. ₹777·]

which security the officer of excise of the said port where such glass shall be exported is hereby directed and authorized to take, in his Majesty's name, and to his use, instead of the security directed by the faid recited act to be taken by the customer or collector of the respective port for such exportation; and then the faid officer of excise of the faid port where such glass shall be exported, shall give a certificate under his hand, expressing the quality and true weight of the glass so exported, and that the same was shipped in his presence, and that sufficient security has been given for the due exporting thereof; which certificate being produced to the collector appointed to receive the said duties upon glass, or such collector of the port where the said glass was exported, he shall forthwith pay or allow to the persons or agents so exporting the same a drawback or a drawback allowance of eighteen shillings and eight-pence per hundred shall be paid. weight for all plate, flint, enamel, stained, or paste glass, and for all phial glass, made in Great Britain; and seven shillings per hundred weight for all spread window-glass made in Great Britain; and fourteen shillings per hundred weight for all other window-glass (not being spread glass) whether flashed or otherwife manufactured, and commonly called or known by the name of crown glass, made in Great Britain, and fourteen shillings per hundred weight for all glass called German Sheet Glass, made in Great Britain; and three shillings and sixpence per hundred weight for all common bottles, not being phials, and for all other vessels or utenfils made of common bottle metal made in Great Britain; and after that rate for a greater or leffer quantity: and if fuch collector shall not have money in his hands to pay the same, then the said respective commissioners of excise in Great Britain are required to pay the said certificate or certificates out of the duties upon glass, arising by this or the said recited act.

XXXVI. And whereas it frequently happens that the collectors of the duties, under the management of the commissioners of excise, who are by law required and impowered to administer the oath or affirmation, and thereupon to give certificates that such duties have been duly paid or secured, are frequently absent from home in the execution of other parts of their duty, whereby the exportation of Such wares or merchandize may be greatly delayed; be it therefore enacted by the authority aforesaid, That it shall and may be lawful for such person or Commissionpersons as shall be appointed by the commissioners of excise in er of excise Great Britain respectively for the time being, or the major part to appoint of them, within their feveral districts, to administer such oath or persons to adaffirmation, in the absence of the respective collectors, to the per- in the absence fons fo applying for the same, in order to export such wares and of collectors. merchandizes as aforesaid, and to give gratis to such persons such certificate or certificates as required by the several acts whereby fuch duties are respectively charged upon such wares or merchandizes, in the same manner as the collectors of excise are by law required and impowered to do.

XXXVII. And whereas frauds have been committed by relanding or unshipping of glass, after being entered and shipped for exportation, and alfo

# Anno decimo septimo GEORGII III. C. 39. [1777.

also by entering broken glass or waste glass for exportation, in order to obtain the drawback or allowance for the same, as if it was glass exported for merchandize, which was the true intent and meaning of the faid recited act; now the better to prevent such abuses, be it further enacted and declared by the authority aforesaid, That if, after the shipping of any glass to be exported pursuant to this prerelanding, etc. sent act, in order to obtain the respective allowances or drawbacks therein mentioned, the glass so shipped to be exported, or any part thereof, shall be fraudulently unshipped, unladed, relanded, or put into any other ship, vessel, or boat, within the kingdom of Great Britain, that then, and in every such case, over and above all other penalties and forfeitures, the exporter or exporters of fuch glais, and all and every person and persons who shall be any ways concerned, or aiding or assisting, in fraudulently unshipping, unlading, relanding, or putting into any other ship, vessel, or boat, any part of the said glass, in any part of Great Britain, shall, for every such offence, forfeit and lose the sum of one hundred pounds; and every person and perfons who shall knowingly enter, or cause or suffer to be entered, any broken or waste glass for exportation, with intent that any drawback or allowance should be obtained, shall, over and above all other penalties and forfeitures, for every such offence, also forfeit and lose the sum of one hundred pounds.

XXXVIII. And be it further enacted by the authority aforesaid, That no person whatsoever, being a maker of glass, or who is or act as a justice shall be any way interested in, or concerned in, the trade or business of making glass, or in any glass-house or glass houses already or hereafter to be fet up, shall, during such time as he shall be so concerned or interested in such glass manufacture, trade, business, or glass-house as aforesaid, or in any of the said trades or businesses, be capable, or have any power to act as a justice of the peace in any matter or thing whatfoever which shall any ways concern the execution of the powers or authorities given or granted by this present act, or any other act of parliament relating to the duty or duties imposed upon glass, or upon the materials for making of glass; and in case any such person or persons thall contrary to the true intent and meaning hereof presume to . execute any fuch powers or authorities, it is hereby enacted and delcared, That all and every fuch act fo done by fuch person or persons shall be null and void to all intents and purposes what soever.

XXXIX. And whereas there may have been contracts or bargains made for the purchase and sale of home-made glass and bottles, to be delivered and received at future times after the faid fifth day of July, one thousand seven hundred and seventy - seven; which contracts and bargains, by reason of the duties on glass and glass bottles hereby imposed, cannot be complied with by the fellers without great loss and damage; be it made glass or therefore enacted by the authority aforesaid, That all contracts or bargains made, or to be made, before the faid fitth day of which that: July, one thousand seven hundred and seventy-seven, for the purchase and sale of home-made glass or glass bottles, to be delivered and received at any future time or times, which shall not

Penalty on fraudulently glass shipped tor exportation;

or entering broken or watte glass.

No glass maker, etc. to of peace in any matter relating to the duties on giais.

All contracts tor homeglass bottles, med before July 5, 1777, to be void,



## 1777.] Anno decimo septimo Georgii III. c. 39.

be performed and complied with on or before the fail fifth day of July, one thousand seven hundred and seventy-seven, shall be, and are hereby declared to be, null and void, and of no effect; and in case any sum or sums of money shall have been advanced and all money and paid by any purchaser or purchasers for or on account of any advanced on home-made glass or glass bottles, which shall not be delivered on account of or before the said fifth day of July, one thousand seven hundred tracts, to be and seventy-seven, all such sums of money shall be forthwith re- repaid with paid to the person or persons who shall have advanced and paid interest. the same, together with legal interest for the same, from the time and times that such sum or sums of money shall have been respectively advanced and paid.

XL. And it is hereby enacted, That if any maker of glass, or Penalty on any other person or persons, shall obstruct or hinder any of the persons obfaid officers in the execution of any of the powers given him or ftructing offithem by this act for ascertaining and securing the said duties execution of upon glass, the person or persons so offending therein shall, for e- this act.

very fuch offence, forfeit the fum of fifty pounds.

XLI. And be it further enacted and declared by the authority Penalties and aforesaid, That all fines, penalties, and forfeitures, by this act forfeitures imposed, shall be sued for, levied, recovered, or mitigated, by how to be refuch ways, means, and methods, as any fine, penalty, or forfeitapplied. ure is or may be recovered or mitigated by any law or laws of excise, or by this act, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, or in the court of exchequer in Scotland; and that one moiety of every such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him or them

who shall discover, inform, or sue for the same.

XLII. And whereas it has been found by experience, that the rates and duties arising by an act, made in the twenty ninth year of the reign of his lute majesty King George the Second, intituled, An act for granting to his Majesty several rates and duties, payable by all persons and bodies politick or corporate having certain quantities of filver plate, are very vexatious and troublesome in the levying and colletting the same, and of small advantage to the publick; be it therefore enacted by the authority aforesaid, That, from and after Act 19 Geo. II. the fifth day of July, one thousand seven hundred and seventy- for granting feven, the several annual rates and duties charged by the said re- duties on sicited act shall cease, determine, and be no longer paid or pay- pealed. able; and that then, and from thenceforth, all the powers and authorities given and granted, and the rules and regulations established and prescribed by the said recited act, or by any other act or acts of parliament for or in relation to the managing, fecuring, ascertaining, collecting, recovering, levying, and paying the faid rates and duties, and all penalties and forfeitures in respect thereof, shall also cease, determine, and be no longer put in execution; fave only and except in all cases relating to the recovering any arrears which may at that time remain unpaid of the faid rates and duties, or to any penalty or forfeiture which shall have been incurred upon or at any time before the said fifth Vol. XXXI.



Anno decimo septimo GEORGII III. c.40. [1777. day of July, one thousand seven hundred and seventy-seven; any

XLIII. And be it further enacted by the authority aforesaid, That if any person or persons shall, at any time or times, be sued, molested, or prosecuted, for any thing by him or them done or executed in pursuance of this act, or of any clause, matter, or thing herein contained, such person or persons shall and may plead the general issue, and give the special matter in evidence for his or their desence; and if, upon the trial, a verdict shall pass for the desendant or desendants, or the plaintiff or plaintiffs become nonsuited, then such desendant or desendants shall have treble costs awarded to him or them against such plaintiff or plaintiffs.

#### CAP. XL.

An all to authorise the carrying of the captures therein mentioned into any part of his Majesty's dominions in North America; and for ascertaining the value of such part of ships and goods as belong: o the recaptors.

WHEREAS by an act, made in the fixteenth year of the reign of his present Majesty, (intituled, An act to prohibit all trade and intercourse with the colonies of New Hampshire, Maffachuset's Bay, Rhode Island, Connecticut, New York, New Fersey, Pensylvania, the three lower counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, during the continuance of the present rebellion within the said colonies respectively; for repealing an act, made in the fourteenth year of the reign of his present Majesty, to discontinue the landing and discharging, lading or shipping, of goods, wares, and merchandize, at the town and within the harbour of Boston, in the province of Massachuset's Bay; and also two acts, made in the last session of parliament, for restraining the trade and commerce of the colonies in the faid acts respectively mentioned; and to enable any perfon or persons, appointed and authorized by his Majesty to grant pardons, to iffue proclamations, in the cases, and for the purposes therein mentioned;) it was (amongst other things) provided and enacted, That no captures which should be taken by virtue of the said act, should be carried into any of the colonies or plantations in America, therein before particularly mentioned, during and so long time as fuch colonies or plantations respectively should continue in a state of rebeilion: and whereas many such captures have been, since the passing of the said act, carried into the port and harbour of New York, and it may be expedient to allow that such captures should be carried into the faid port and harbour, or into any other port, harbour, or place, in bis Majesty's dominions aforesaid, provided the same be done with the con-Sent, licence, and warrant, of the Said person or persons, appointed and authorized by his Majesty to grant a pardon or pardons to any number or description of persons; be it therefore enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for the person or persons, appointed and authorized by his Majesty to grant pardons, as aforesaid, and they, or



## 1777.] Anno decimo septimo GEORGII III. C. 40.

either or any of them, are hereby impowered to grant his ordons, etc. may their licence or warrant, authorizing any captor or captors, or grant a licence any other person or persons whatsoever in their behalf, to carry tures into any such captures into any port, harbour, or place, in any of any port in his Majesty's dominions aforesaid; any thing in the said act con-America.

tained to the contrary notwithstanding.

II. And be it also enacted by the authority aforesaid, That all All captures fuch captures which have been already carried into the said port which have and harbour of New York, or which, before the first day of into the har-August, one thous nd seven hundred and seventy-seven, shall be bour of New carried in there, or into any of his Majesty's dominions, with York, or befuch licence and warrant aforesaid, shall be deemed to have fore August 1, been lawfully carried into fuch port or harbour; and after con-carried into demnation as lawful prize, the same shall and may, with the any of his like licence and warrant, be exported from thence, and brought Majesty's doand imported into this kingdom, or any other of his Majesty's minions, with dominions, upon payment of the same customs and duties, and aforesaid, shall subject to the same restrictions and regulations in all other re- be deemed to spects, as the same now are subject to by the said recited act; have been lawany thing therein to the contrary thereof notwithstanding.

III. And whereas, fince the passing of the said att, several ships in, etc. and veffels, with their cargoes, which had been taken by the inhabi- Veffels, etc. tants of some of his Majesty's rebellious colonies or plantations in which had America, and were afterwards retaken, have been condemned in the trom his Macourts of admiralty or vice-admiralty in the West Indies, and in jetty's subjects America, and afterwards sold in order to ascertain one-eighth part not in rebelof the value of such ships, vessels, and cargoes, to which the recaptors which shall be are intitled by virtue of the said act; by means whereof the original retaken, owners, and others interested therein, have been greatly damnified: for remedy whereof, be it declared and enacted by the authority aforesaid, That when any ship, vessel, or boat, taken by virtue of the faid act, or any goods therein, shall appear and be proved, in any courts of admiralty or vice-admiralty aforesaid, to have belonged to any of his Majesty's subjects of Great Britain or Ireland, or any of the dominions and territories remaining and continuing in their allegiance to the King, and under his Majefty's protection, and to have been taken or surprized by any of the inhabitants of his Majesty's rebellious colonies or plantations therein before mentioned, and to be in the possession or power of such unlawful captor at the time of such retaking; then, and in fuch case, such ships, vessels, boats, and goods, belonging to fuch his Majesty's subjects remaining and continuing under his protection and obedience, as aforesaid, shall in all cases be ad- shall be restorjudged to be restored, and shall be, by decree of the said vice ed to the ownadmiralty court, accordingly restored to such owner or owners, ers, he or they paying one-eighth of the value thereof to the recap-on paying tors, or giving good and sufficient security, to the satisfaction 1-8th part of of the recapors, to pay one-eighth of the true value of fuch thereof. thip and goods fo retaken, for and in lieu of falvage: and for ascertaining such one-eighth part, where it shall be judged neceffary by the owner or owners of such vessel or boat, or the goods therein so retaken as aforesaid, to be removed into any Ee 2

be appraised;

but not fold without the consent of the owners;

except, etc.

Anno decimo septimo Georgii III. C. 41. [1777. other port or place in order to be fold or disposed of, the judge of the vice-admiralty court, in which the faid ship and goods Vessels, etc. to shall be decreed to be restored, shall forthwith cause the same to be appraised by persons to be named by the claimant and recaptors; or if they do not agree, to be appointed by the court, and sworn truly to appraise the same according to the best of their skill and knowledge; and that no ship, vessel, or boat, or goods, wares, and merchandizes laden therein, fo retaken as aforesaid, shall be sold or disposed of for the purpose of paying any fuch falvage or eighth part, or on any other account whatfoever, unless by the consent of the owners; except in cases where there shall be no claim for such retaken ships, vessels, boats, or goods; in which case the judge of the said vice-admiralty court shall order as much of the cargo, after having been appraised as aforesaid, to be fold, as will be sufficient to pay the recaptors the one-eighth of the value of the ship and cargo, and the expences of the appraisement and sale; and if the cargo be not sufficient for that purpose, then the ship or vessel to be likewife fold, and the remainder, after paying the faid falvage, to be deposited in the registry of such vice-admiralty court, for the benefit of the owners who shall thereafter apply for and claim the same; and except also in such cases where any part of the

#### CAP. XLI.

benefit of the persons concerned therein.

cargo shall appear to be in a perishing condition; in which case the faid judge shall direct the sale of such perishing part, for the

. An act to prevent the clandestine unshipping from and receiving goods at sea on board vessels employed in the East India company's service; for ascertaining the manner of discharging bonds given for the due exportation of certain goods from Great Britain to foreign parts; and to oblige the masters of British or Irish Ships, failing from any of his Majesty's dominions into the Baltick, to deliver a manifeste of their cargoes to the British conful residing there.

Preamble.

THEREAS the laws heretofore made to prevent the clande-VV sline running of goods from on board ships employed in the ser-vice of the East India company on their homeward voyages, and the receiving of goods on board such ships at sea on their outward voyages from this kingdom, are insufficient to answer those purposes, it having been found by experience that very large quantities of muslins, teas, and other goods, are unshipped from on board such ships into vessels that meet them at sea on their voyages homewards, which goods are afterwards run on shore on the coasts of this kingdom without payment of duties; and also that large quantities of wine, brandy, and other goods, are clandestinely laden and put on board ships employed in the said company's service on their outward-bound voyages at sea, from vessels that wait hovering for them upon the coast of this kingdom, laden with fuch goods from foreign parts; to the great loss of the publick revenue, the detriment of the East India company, and the prejudice of the fair traders: for remedy whereof, may it please your Majefty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of

the'



# Anno decimo septimo Georgii III. C. 41.

the lords spiritual and temporal, and commons, in this present parliament affembled, and by the authority of the same, That, Penalty on from and after the twenty-fourth day of June, one thousand seven unshipping hundred and seventy-seven, if any muslin, tea, or other goods, goods at sea wares, or merchandizes whatsoever, shall be unshipped at sea, homeward. and taken out of any ship or vessel employed in the service of bound vessel the said East India company, on her voyage homewards to this employed by kingdom, at any distance from the coasts thereof (unless in case the East India of apparent necessity, or some other lawful reason, of which the any distance master, commander, or other person having charge of such ship from the or vessel, shall give immediate notice to, and make proof of be- coasts of this fore, the collector and comptroller, or the chief officer or officers kingdom; of the customs, at the first port of this kingdom where he shall of necessity, arrive;) all fuch muslin, tea, or other goods, wares, and mer- etc.) chandizes, and every ship, vessel, or boat, into which the same shall be unshipped and taken, or which shall used in the removing, carrying, or conveying the same, shall be forfeited and lost; and the master, commander, or other person having charge of fuch thip or vessel from which such goods shall be so unshipped and taken, knowingly permitting or suffering such goods to be to unshipped and taken out of such ship or vessel, and every other person who shall be aiding, assisting, or otherwise concerned in the unshipping or receiving of such goods, shall forfeit treble the value thereof.

II. And it is hereby further enacted by the authority afore- or on putting faid, That, from and after the said twenty-fourth day of June, on board any such vessel if any wine, brandy, or other goods whatfoever, shall be laden outwardor put on board any ship or vessel, employed in the service of bound, after the faid East India company, at sea, at any distance from the she has left the coasts of this kingdom, after such ship or vessel hath been cleared port of Lonoutwards, and departed from the port of London on her outward- wine, brandy, bound voyage (excepting fuch provisions and stores as shall be etc. necessary for the use and sustenance of the persons on board such except for the thip or vessel during the voyage) all such wine, brandy, and use of the other goods, and every ship, vessel, or boat, out of and from persons on which such wine, brandy, or other goods, shall be so unladen, board during mall be forfeited and lost; and the master, commander, or other the voyage. person having the charge of such East India ship, knowingly permitting or suffering any such goods to be so taken on board fuch thip, and every other person who shall be aiding, affisting, or otherwise concerned in the unshipping or receiving of the said goods, shall forfeit treble the value thereof.

III. And be it further enacted by the authority aforesaid, That Penalties and all penalties and forfeitures, as well specifick as pecuniary, by forseitures this act imposed, shall and may be sued for, prosecuted, and re- how to be recovered, in any of his Majesty's courts of record at Westminster, applied. by action, bill, plaint, or information, in the name of his Majesty's attorney-general, or in the name of some officer or officers of the customs, by the same rules, methods, ways, and means, as other penalties and forfeitures inflicted for offences against the laws for fecuring the revenue of customs are and may be fued for, profecuted, and recovered; and that one-third part of



Anno decimo septimo GEORGII III. C. 41. [1777].

sil such penalties and forseitures shall be to the use of his Majesty, his heirs and successors, one other third part thereof to the
use of the said united company, and the remaining third part
thereof to the officer or officers of the customs who shall inform
and prosecute for the same.

IV. And whereas the provisions made by law for the discharging bonds, entered into for the due exportation of goods which are probibited to be worn or used in this kingdom, or which are intitled to a drawback, bounty, or premium upon exportation into foreign parts, have been found insufficient to answer the purposes intended, there being great reason to believe the certificates of such goods being landed abroad bave, in many cases, been fraudulently obtained, notwithstanding the goods have been relanded in Great Britain, contrary to the condition of such bonds; for remedy whereof, be it enacted by the authority aforesaid, That, from and after the twenty-ninth day of September, one thousand seven hundred and seventy-seven, no bond, which shall be given in pursuance of any act or acts of parliament for the due and regular exportation of any goods, which now are or hereafter may be prohibited to be worn or used in Great Britain, or which now are or hereaster may be intitled to any drawback, bounty, or premium, payable out of any money arising by the revenue of customs upon exportation from this kingdom into foreign parts, shall be delivered up, cancelled, or discharged, until certificates shall be produced of the exportation to and landing fuch goods at the ports and places mentioned in such bonds, or until proof be made upon oath in relation thereto, in such manner and form as is hereinafter directed; that is to fay; in case any such goods shall be entered for exportation to Ireland, the islands of Guernsey, Fersey, Alderney, Sark, or Man, or his Majesty's colonies or plantations in America, a certificate shall be produced under the hand and feal of the collector and comptroller, or other chief officer of the customs where such goods shall be landed, testifying the landing thereof, and describing the number of the casks, chests, or other package containing the same, and the particular marks of fuch casks, chests, or package; and the condition of all such bonds to be given for the exportation of such goods to Ireland, or the islands of Guernsey, Fersey, Alderney, Sark, or Man, shall be to produce such certificate within fix calendar months from the date of such bond, the danger of the seas and enemies excepted; and the condition of all fuch bonds to be given for the exportation of any fuch goods to the British colonies or plantations in America, thall be to produce such certificate in eighteen calendar months from the date of fuch bond, the dangers of the feas and enemies excepted: and in case any such goods shall be entered for exportation to any other part of Europe, such bond shall not be delivered up, cancelled, or discharged, until a like certificate thall be produced, under the hand and feal of the British conful, or other person acting as such, who shall be refident at the port or place where fuch goods shall be landed; or if there be no fuch British consul, or person acting as such, refiding there, then under the hand and common feal of the chief magi-



# 1777.] Anno decimo septimo Georges III. C. 43

magistrate for such port or place; and the condition or fuel last-mentioned bonds shall be to produce such certificate in fifteen calendar months from the date of fuch bonds, the danger of the seas and enemies excepted: and if any such goods shall be entered for exportation to any place within the limits of the East India company's charter, such bonds shall not be delivered up, cancelled, or discharged, until a like certificate shall be produced, under the hands and seals of the governor and council at and for the place where such goods shall be landed; and the condition of all such bonds shall be to produce such tertificates within thirty calendar months from the date of fuch bonds, the danger of the seas and enemies excepted: and in case any such goods shall be entered for exportation to any parts beyond the seas in Africa, such bonds shall not be delivered up, cancelled, or difcharged, until a like certificate shall be produced, under the hand and feal of the collector or other chief officer of the customs, if any such officer shall be established at the place where such goods shall be landed; and if no such officer shall be established there, then and in that case not until a like certificate shall be produced, under the hand and seal of the British consul, or other person acting as such, at the place where such goods shall be landed; and the condition of all such bonds as shall be given for the exportation of such goods to any part of Africa, where any officer of the customs shall or may be established, or where any British consul, or person acting as fuch, may be resident, shall be to produce such respective certificates within eighteen calendar months from the date of such bonds: and if fuch goods shall be entered for exportation to or landed at any part of Africa, where no officer of the customs shall be established, or no British consul, or person acting as fuch, shall be resident, then and in that case such bonds shall not be delivered up, cancelled, or discharged, until proof is made by the oath of the master and mate, or other person having the charge of the thip or vessel during the voyage in which fuch goods were exported, that the faid goods, and every part thereof, were fairly landed or disposed of in or on some part of the coast of Africa, and had not been relanded in Great Britain. Ireland, or the isles of Guernsey, Fersey, Alderney, Sark, or Man, or the islands of Faro or Ferro; and by the oath of the merchant exporter, if living, that, to the best of his, her, or their knowledge and belief, the faid goods had been landed or disposed of. at the place or places mentioned in the oath made by the mafter and mate, or other person taking the charge of the ship or vesfel during the voyage, and have not been brought back again or relanded in any part of Great Britain, Ireland, or the islands of Guernsey, Jersey, Alderney, Sark, or Man, or the islands of Faro or Ferro; which oaths shall be made within eighteen calendar months from the date of each respective bond, before the collector and comptroller, or other principal officer of the cuftoms for the port where such bond was given, who are hereby respectively authorised and impowered to administer the same: and in case no such certificates shall be respectively produced, or proof made as aforesaid, within the respective times herein-before E e 4 mentioned.



Anno decimo septimo Georgii III. C. 42., [1777.

mentioned, it thall and may be lawful for the commissioners of his Majesty's customs in England or Scotland, or any three or more of them respectively, to cause such bonds to be put in fuit, unless they shall find sufficient cause to forbear the same, any law, custom, or usage to the contrary notwithstanding.

Commanders of British or Irish vestels, within 10 days after port in the Baltick where a British conful refides, him, in writing, the particulars of their cargo, etc.

V. And it is hereby further enacted by the authority aforesaid, That from and after the twenty-ninth day of September, one thousand seven hundred and seventy-seven, where any British or Irish ship or vessel shall sail from Great Britain or Irearrival at any land, or any other part of his Majesty's dominions, to any port or place in the Baltick, where any conful now is or hereafter may be appointed for his Majesty's subjects trading thither, the master, commander, or other person having the charge of such thall deliver to thip or vessel, shall, within ten days after the arrival of such ship or vessel at such port or place, deliver to the said consul residing there, or to such other person or persons as shall be appointed for that purpose by him, a true manifest in writing, upon oath, specifying the particulars of the whole cargo of such ship or vesfel, with the marks and numbers of the package containing the same, if unloaded or delivered there, or of such part thereof as shall be so unloaded or delivered there, and to whom consigned; which oath fuch conful, or other person or persons to be appointed by him, is and are hereby respectively impowered and required to administer gratis; and in case any master, commander, or other person having the charge of any such ship or vessel, shall neglect or refuse to deliver such manifest in the manner herein directed, such consul, or other person or persons appointed by him, shall, and they are hereby respectively authorised and required to detain the clearance outwards of fuch thip or vessel, and not to give or deliver any dispatch, passport, or bill of health, for any tuch thip or vessel. VI. And be it further enacted by the authority aforesaid, That

Defendants, in any suit relat- if any action or suit shall be commenced against any person or ing to this act,

may plead the persons for any thing done in pursuance of this act, the defengeneral iffue, dant or defendants in fuch action or fuit may plead the general iffue, and give this act and the special matter in evidence, at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act: and if it shall appear so to have been done, then the jury shall find for the defendant and defendants; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared, or if judgement shall be given, upon any verdict or demurrer, against the plaintiff, the defendant or defendants shall recover treble costs, and have the like remedy for the same as

and recover treble cofts.

## CAP. XLII.

defendants have in other cases by law.

An all for preventing abuses in the making and vending bricks and tiles.

Preamble.

HEREAS the laws heretofore made for regulating the dimensions of bricks for sale, and for fixing the lengths, breadths,

and



## 1777.] Anno decimo septimo Georgii III. C. 42.

and thicknesses of pantiles, have expired, and there is at present no provision made by any law for that purpose: and whereas many inconveniences have arisen to the publick by frauds committed in lessening the fixe of bricks under their usual proportion without any diminution of price: for remedy whereof, and for the common good and benefit of your Majesty's subjects, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from After July 1, and after the first day of July, one thousand seven hundred and 1777, all bricks feventy-feven, all bricks which shall be made or burnt for sale made in Engin any part of England, shall, when burnt, be not less than eight to be 8 1-half inches and an half long, and not less than two inches and an inches long. half thick, and not less than four inches wide; and that all pan- 2 1-half thick, tiles which thall, from and after the faid first day of July, one and 4 wide; thousand seven hundred and seventy-seven, be made for sale in and all panany part of England, shall, when burnt, be not less than thir-inches long, teen inches and an half long, and not less than nine inches and 9 1-half wide, an half wide, and not less than half an inch thick.

II. And be it further enacted, That all and every person and inch thick. persons who, at any time or times from and after the said first Penalty on day of July, one thousand seven hundred and seventy-seven, making bricks shall make any bricks or pantiles for sale, which, when burnt, or tiles of less shall be of less dimensions in length, breadth, or thickness, than dimensions. the same are herein-before prescribed to be, shall forfeit and pay the fum of twenty shillings for every thousand of bricks, and the sum of ten shillings for every thousand of pantiles, and so proportionably for a greater or lester number of bricks or pantiles that shall be so made for sale, contrary to the true in-

tent and meaning of this act.

III. And be it further enacted, That the fize of the fieves or Mathes of forcens for fifting or forcening sea coal ashes to be mixed with seves, etc. brick earth in the making of bricks, shall not exceed one quarter than a quarter of an inch between the mashes of such sieve or screen.

IV. And, for preventing all combinations amongst any brick-makers asunder. or tile-makers, in order to advance or inhance the price of bricks or All contracts tiles, be it further enacted, That all and every contract or con- for ingroffing tracts, covenant or covenants, agreement or agreements, whe- of bricks and ther the same be in writing or not, heretofore made or entered hindering a into, or hereafter to be made or entered into, by or between any free fale brick-maker or tile-maker, or any other persons whatsoever thereof, etc. concerned or interested, or to be concerned or interested, in the shall be void. making of any bricks or tiles for fale, for ingroffing of bricks and tiles, or for restraining or hindering any person or persons whomsoever, from freely selling the same, or for limiting or fixing any certain price or prices, under which the same shall not be fold, shall be and are hereby declared to be illegal, null, and void, to all intents and purposes: and if any brick-maker Penalty on or tile maker, or other person concerned or interested, or to be brick-makers, concerned or interested, in the making of bricks or tiles for sale, July 1, 1777,

tiles 13 1-half and half an

of an inch

shall shall enter in-



Anno decimo septimo GEORGII III. C. 42. [1777.

to, fign, or concin se in, any tuch con-

shall at any time after the said first day of July, one thousand seven hundred and seventy seven, keep up, continue, act in, make, enter into, fign, feal, or be knowingly interested or concerned in any such contract, covenant, or agreement, hereinbefore declared to be illegal, null, and void, or shall knowingly act or officiate therein as clerk, agent, or servant, to or for any person so contracting, agreeing, or acting, contrary to the true intent and meaning of this act, every person so offending shall forfeit and pay in manner following; (that is to fay,) every brick-maker or tile maker, or other person concerned or interested in making bricks or tiles for fale, the sum of twenty pounds; and every clerk, agent, or fervant, the fum of ten pounds; one moiety of which penalties shall go and be applied to the poor of the parish where the offence shall be committed, and the other moiety to such person or persons as shall sue for the same, within fix calendar months next after the said offence shall have been committed; to be recovered, with full costs of suit, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, wherein no essoin, wager of law, or protection, shall be allowed, or more than one imparlance given.

Penalties and forfeitures may be levied by diffres;

V. And be it further enacted, That, from and after the first day of July, one thousand seven hundred and seventy-seven, all penalties and forfeitures inflicted or authorised to be imposed, the manner of levying of which hath not been otherwise provided for, shall and may, upon proof of the offences respectively, and conviction before any justice of the peace of the county, riding, division, or place, wherein the offence shall be committed, be levied by diffress and sale of the goods and chattels of the party or parties offending, by warrant or warrants under the hand and seal of such justice, rendering the overplus, if any, after deducting the faid penalties and forfeitures, and the charges of fuch diffreis and sale, to the owner or owners of such goods and chattels; and fuch justice is hereby authorised and impowered to hear and determine the same, either by confession of the party or parties, or by the oath of one credible witness, and is also authorised and required to grant such warrant for the purposes aforesaid, and to administer such oath gratis; and all such penalties and forfeitures shall from time to time be paid, one moiety to the informer, and the other moiety to the poor of the parish where such offender or offenders shall live; or in case sufficient distress shall not be found, or such penalties and forfeitures shall not be forthwith paid, it shall be lawful for such justice, and he is hereby authorised and required, by warrant under his hand and feal, to cause such offender or offenders to be committed to the common gaol, or house of correction, for the county, riding, division, or place where the matter shall arife, there to remain, without bail or mainprize, for any time not exceeding two calendar months, unless such penalties and forfeitures, and all reasonable charges, thall be sooner paid.

How justices

and shall be

paid, half to

and half to

the poor of

On failure of

tender to be

committed.

the parish.

ditreis, of-

VI. And be it further enacted, That all and every justice or

1777.] Anno decimo septimo Georgii III. C. 42.

justices of the peace, before whom any person or persons shall be conviction of convicted of any offence against this act, shall and may cause offenders, the conviction to be drawn up in the following form of words, or in any form of words to the same effect, as the case may be; videlicet:

BE it remembered, That on the in the year of our Lord

day of Form of conviction.

A. B. is convicted before me C. D. one of his Majesty's justices of the peace for the county or place, (as the case may be;) [specifying the offence, time and place when and where the same was committed, as the case shall be.]

Given under my hand and feal, the day and year aforesaid.

VII. Provided always, and be it further enacted, That no Information penalty inflicted by this act, in respect of the dimensions of to be laid bricks or tiles, shall be recovered, unless the information shall within a be laid within the space of one calendar month next after the sale or deliverate or deliverate or deliverate or deliverate or deliverate or deliverate.

liable to more than one penalty for any one offence.

VIII. And be it further enacted, That if any person or per- Persons agfons (hall think him, her, or themselves aggrieved by any thing grieved may done in pursuance of this act, such person or persons may, appeal to the within the space of four calendar months after the cause of suarter selcomplaint shall have arisen, appeal to the justices of the peace at any general quarter sessions of the peace, for the county, riding, division, or place, wherein the cause of complaint shall arife, such appellant giving, or causing to be given, twenty-one entire days notice, at the least, in writing, of his, her, or their on giving at intention to bring such appeal, and of the cause or matter there days notice, of, to the person or persons whose acts are complained against; and within eight days after fuch notice, entering into a recognizance before some such justice as aforesaid, with two sufficient fecurities, conditioned to try fuch appeal at, and abide the order of, and pay such costs as shall be awarded by the justices at such quarter festions; and the said justices, upon due proof of the notice so given, and of the recognizance so taken, shall proceed to hear and determine the causes and matters of such appeal in a summary way, and award such costs to the party appealing or appealed against, as they the said justices shall think proper, and the deter- Determinatimination of fuch quarter sessions shall be binding and conclusive on of the sesto all intents and purposes; and no order made, concerning any sions to be of the matters atoresaid, or any other proceedings, to be had touching the conviction of any offender against this act, shall be quashed for want of form, or be removed by certiorari, or any other writ or process whatsoever, into any of his Majesty's courts of record at Westminster.



## CAP. XLIII.

An act for repealing the eleventh rule in the book of rates, so far as the same relates to making any allowance upon the importation of damaged currants and raisins, and for making the importer of such goods an abatement in the duties in lieu thereof; and for explaining the said rule with respect to such allowance for damage on other goods; and to permit the expertation of tobacco-pipe clay from this kingdom to the British Sugar colonies or plantations in the West Indies, for a limited time.

Preamble.

Act 12 Car.2. recited.

WHEREAS by the eleventh rule in the book of rates, annexed and referred to by an all of parliament made in the twelfth year of the reign of his late majesty King Charles the Second, (intituled, A subsidy granted to the King of tonnage and poundage, and other sums of money payable upon merchandize exported and imported) which has been continued by several subsequent acts of parliament, and is now in force, excepting such alterations as have been fince made with respect to wines and tobacco, it is provided, That if any tobacco, or other goods or merchandize, brought into this kingdom, shall receive any damage by falt-water, or otherwise, so that the owner thereof shall be prejudiced in the sale of such goods, the principal officers of the cuftom-house, or any two of them, whereof the collector for the time being to be one, shall have power to chuse two indifferent merchants, experienced in the value of such goods, who, upon visiting the said goods, shall certify and declare, upon their corporal oaths first administered by the said officers, what damage such goods have received, and are lessened in their true value; and according to fuch damage, in relation to the rates fet on them in the faid book of rates, the said officers are to make a proportionable abatement, unto the merchant or owner, of the subsidy due for the same : and whereas frequent disputes do arise between the officers of the customs and the merchants in adjusting the allowances which currants and raisins may deserve and be intitled to, it having been found by experience extremely difficult to distinguish what damage such goods have received by unavoidable accident in the course of the voyage, from the natural and consequential decay some of these articles are particularly liable to from beating, if of an inferior quality, or packed in bad condition before they are shipped in foreign parts, which has put the merchants, trading in these commodities at different ports in this kingdom, upon a very unequal footing, and been very prejudicial to the publick revenue: now, for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament After June 24, affembled, and by the authority of the same, That, from and after the twenty-fourth day of June, one thousand seven hundred and seventy seven, the said eleventh rule, annexed to the to far as it re- faid book of rates, so far as the same relates to currants and raifins, shall be, and the same is hereby repealed, made void, and shall no longer be put in practice; any thing in the said act of tonnage and poundage, or in any other act or acts of parliament, to the contrary in any wife notwithstanding.

1777, the rith rule in the book of rates. lates to currants and raifins, shall be repealed.

II. And



# 1777.] Anno decimo septimo GE:RGII III. C. 43.

II. And whereas it may be reasonable to make the merchants im- Certain deporting such goods a certain compensation for the allowance they would made from the be intitled to out of the several duties, in proportion to the different duties payable damage fuch goods may be liable to, whereby the revenue may be col- on the imporletted with greater certainty, and not so liable to abuse; be it further tation of curenacted by the authority aforesaid, That, from and after the rants and faid twenty-fourth day of June, it shall and may be lawful for raisins. the proper officers of the customs, at the several ports in this kingdom, to make the following abatement or deduction, from the net amount of the duties payable upon the importation of the feveral goods herein-after expressed, to the merchant or merchants importing the same; that is to say, for currants, eight pounds per centum; for raisins solis, one pound per centum; for Smyrna raisins, six pounds per centum; for Lipari, Faro, Belvidere, and great of Lexia raisins, ten pounds per centum; and for Denia raisins, twenty pounds per centum; which said several abatements shall be deemed and taken to be in lieu of all former allowances fuch goods were respectively intitled to in consideration of any damage whatfoever; any law, custom, or usage to the contrary notwithstanding.

III. And it is hereby further enacted by the authority afore- No abatement to be made in faid, That, from and after the faid twenty-fourth day of June, the duties on one thousand seven hundred and seventy-seven, no abatement any other or allowance shall be made in the duties for any other goods goods, by virwhatsoever, by virtue or in pursuance of the said eleventh rule tue of the said in the book of rates herein-before recited, for or on account of less the imporany damage fuch goods may have received, unless the importer ter shall prove or owner of such goods shall prove, to the satisfaction of the they are dacommissioners of his Majesty's customs at London or Edinburgh maged by respectively, or to the collector and comptroller of the customs etc. at the out-ports of this kingdom where fuch goods may be imported, that fuch goods are damaged, and are lessened in their true value, by means of some unavoidable accident which happened to them during the course of the voyage, after such goods were shipped and laden in foreign parts on board such ship or vessel importing the same, and before such goods were landed in this kingdom; any thing in the faid rule, or any law, custom,

or usage to the contrary notwithstanding.

IV. And whereas, by an all of parliament, made in the thirteenth An alt of 13 and fourteenth years of the reign of King Charles the Second, (inti- & 14 Car. 2. tuled, An act against exporting of sheep, wool, wool-fells, mort- recited. lings, shortlings, yarn made of wool, wool-flocks, fullers-earth, fulling-clay, and tobacco-pipe clay,) and by several other acts of parliament which are now in force, the exportation of tobacco-pipe clay from this kingdom into foreign parts is prohibited: and whereas tobacco-pipe clay is absolutely necessary and useful in the cleansing and improving of powdered sugars, and is at this time very much wanted for that purpose in the British Sugar colonies and plantations in the West Indies, and it is expedient to permit the exportation thereof to the faid colonies for a limited time; be it therefore enacted by the authority aforesaid, That, from and after the twenty fourth day From June 24,

of 1777, to June

404

Anno decimo septimo Georgii III. C. 44. [1777.

24, 1779, 10bacco pipe clay may be exported to gar colonies in the West Indies.

of June, one thousand seven hundred and seventy-seven, and until the twenty-fourth day of June, one thousand seven hundred and feventy-nine, and from thence to the end of the then the British su- next session of parliament, it shall and may be lawful to and for any person or persons to export, from any port in this kingdom, any quantity of tobacco pipe clay to any British sugar colony or plantation in the West Indies, in any ship or vessel that may lawfully trade thither; any thing in the faid recited act, or any other act or acts of parliament, to the contrary notwithstanding.

### CAP. XLIV.

An all to continue the several laws therein mentioned, relating to encouraging the making of indice in the British plantations in America; to the registering the prices at which corn is fold in the several counties of Great Britain, and the quantity exported and imported; to encouraging the manufacturing of leather, by lowering the duty payable upon the importation of oak bark, when the price of fuch bark shall exceed a certain rate; to the allowing timber and wood to be exported from the island of Dominica into any other of the British islands, colonies, or plantations in America, and to the allowing a bounty on the exportation of British-made cordage.

Preamble.

further centinued for four years.

HEREAS the laws herein-after mentioned have, by experience, been found useful and beneficial, and are near expiring; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the au-Acts 21 Geo. 2. thority of the same, That an act, made in the twenty-first year of the reign of his late majesty King George the Second, intituled, An act for encouraging the making of indico in the British plantations in America, which was to continue in force for feven years from the twenty-fifth day of March one thousand seven hundred and forty-nine, and from thence to the end of the then next session of parliament; and which, by another act of the twenty-eighth year of his faid late Majesty's reign, is further continued, from the twenty-fifth day of March, one thousand seven hundred and fifty-fix, until the twenty-fifth day of March, one thousand seven hundred and fixty-three, and from thence to the end of the then next session of parliament; and which, by another act, made in the third year of the reign of his present Majesty, intituled. An all to continue and amend two alls, made in the twenty-first and twenty-eighth years of his late Majesty's reign, for encouraging the making of indico in the British plantations in America; and for extending the provisions of an act of the thirtieth year of his late Majefly's reign, with respect to bringing prize-goods into this kingdom, to Spanish prize goods taken fince the late declaration of war with Spain, is further continued from the expiration thereof until the twenty-fifth day of March, one thousand seven hundred and feventy, and from thence to the end of the then next fellion of parliament; and which, by another act, made in the tenth year



of the reign of his present Majesty, is surther continued until the twenty-sisth day of March, one thousand seven hundred and seventy-seven, and from thence to the end of the then next session of parliament; shall be, and the same, together with all the

provisions, regulations, restrictions, powers, and clauses, mentioned in the said recited act of the third year of his present Majesty, so far as they relate to encouraging or concern the making of indico in the British plantations in America, is hereby surther continued from the expiration thereof until the twenty-fifth

day of March, one thousand seven hundred and eighty-one, and from thence to the end of the then next session of parliament.

II. And be it further enacted by the authority aforesaid, That Act 10 Geo.

an act, made in the tenth year of the reign of his present Majesty, 3. surther intituled, An act for registering the prices at which corn is sold in the seven years. several counties of Great Britain, and the quantity exported and imported, which was to continue in force for seven years, and from thence to the end of the then next session of parliament, shall be, and the same is hereby continued from the expiration thereof for the further term of seven years, and from thence to the end

of the then next session of parliament.

III. And be it further enacted by the authority aforesaid, Act is Geo. That an act, made in the twelfth year of the reign of his present 3. further Majesty, intituled, An act for encouraging the manusacture of leative years, ther, by lowering the duty payable upon the importation of oak-bark, when the price of such bark shall exceed a certain rate, for a limited time, which was to continue in force for five years, and from thence to the end of the then next session of parliament, shall be, and the same is hereby continued, from the expiration thereof, for the further term of five years, and from thence to the end of the then next session of parliament.

IV. And be it further enacted by the authority aforesaid, That So much of an fo much of an act, made in the thirteenth year of the reign of act of 13 Geo. his present Majesty, intituled, An act to continue and amend an act, to exporting made in the fixth year of the reign of his present Majesty, intituled, timber from An act for opening and establishing certain ports in the islands Dominica to of Jamaica and Dominica, for the more free importation and ex-the British portation of certain goods and merchandises; for granting cer- in America. tain duties to defray the expences of opening, maintaining, fe-further contieuring, and improving such ports; for ascertaining the duties to nued for five be paid upon the importation of goods from the faid island of sears. Dominica into this kingdom; and for securing the duties upon goods imported from the faid island into any other British colony; and for allowing timber and wood to be exported from the faid island of Dominica into any other of the British islands, colonies, or plantations in America, for a limited time; as relates to allowing timber. and wood to be exported from the island of Dominica into any other of the British islands, colonies, or plantations in America, for a limited time, which was to continue in force until the first day of November, one thousand seven hundred and seventy-six, and from thence to the end of the then next fession of parliament, shall be, and the same is hereby continued, from the expiration



406

Anno decimo septimo Georgii III. c. 45.

piration thereof, until the first day of November, one thousand feven hundred and eighty-one, and from thence to the end of

the then next fession of parliament.

A& 6 Geo. 3. nued for four years.

V. And be it further enacted by the authority aforesaid, That further conti- an act, made in the fixth year of the reign of his present Majefly, intituled, An all for allowing a bounty on the exportation of British-made cordage; and for discontinuing the drawbacks upon foreign rough hemp exported; which was to be in force from the first day of July, one thousand seven hundred and fixty-fix, for the term of five years, and from thence to the end of the then next fession of parliament; and which, by another act, made in the twelfth year of the reign of his present Majesty, was amended, and further continued for the term of three years; and which, by another act, made in the fourteenth year of the reign of his present Majesty, was further continued for the term of three years, and from thence to the end of the then next session of parliament; shall be, and the same is hereby further continued, from the expiration thereof, for the further term of four years, and from thence to the end of the then next session of parliament.

#### C A P. XLV.

An act for allowing further time for inrollment of deeds and wills made by papists, and for relief of protestant purchasers.

Preamble.

recited.

WHEREAS by a clause in an all of parliament, passed in the third year of the reign of his late majesty King George the Acts 3 Geo. 1. First, intituled, An act for explaining an act, passed in the last session of parliament, intituled, An act to oblige papists to register their names and real estates; and for enlarging the time for such registering; and for securing purchases made by protestants; it was enacted, That, from and after the twenty-ninth day of September, in the year of our Lord one thousand seven hundred and seventeen, no manors, lands, tenements, hereditaments, or any interest therein, or rent or profit thereout, should pass, alter or change, from any papist, or person professing the popish religion, by any deed or will, except such deed, within fix months after the date, and such will, within fix months after the death of the testator, should be enrolled in one of the king's courts of record at Westminster, or else within the same county or counties wherein the manors, lands, and tenements lie, in such manner as therein, for that purpose, is directed: and whereas, by several acts of parliament, made in the tenth year of his said Majesty's reign, and in the third, fixth, ninth, eleventh, twelfth, fixteenth, nineteenth, twenty-fixth, twenty-eighth, thirty-first, and thirty-third years of his late majesty King George the Second; and the second, fourth, seventh, twelfth, and fourteenth years of his present Majefly's reign, it was enacted, That every deed and will, made fince the twenty-ninth day of September, one thousand seven hundred and seventeen, in order to pass, alter, or change, any manors, lands, tenements, or hereditaments, or any interest therein, or any rent or profit thereout, from any papist, or person professing the popish religion, to any protestant or protestants, or by reason of which deed or will any



## 1777.] Anno decimo septimo Georgii III. C.45.

protestant or protestants may claim or derive any legal, equitable, or other interest what soever, to his, her, or their use, for his, her, or their benefit, or to the use or benefit of any other protestant or protestants, though not inrolled, or not inrolled in due time, should be as good and effectual in law as the same would have been in case the said deeds and wills had been inrolled within the times limited by the said clauses in the said acts for the inrollment thereof; provided the said deeds and wills should be inrolled on or before the first day of January, one thousand seven hundred and seventy-five, in such manner as by the Said clause in the first-mentioned act is directed: be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every deed and will, made fince the twenty-ninth day of Deeds and September, one thousand seven hundred and seventeen, in order wills of pa-to pass, alter, or change, any manors, lands, tenements, or he-made since reditaments, or any interest therein, or any rent or profit there- Sept. 29, 1717, out, from any papift, or person professing the popish religion, to to be good in any protestant or protestants, or by reason of which deed or will law, if inany protestant or protestants may claim or derive any legal, Jan. 1, 1778. equitable, or other interest whatsoever to his, her, or their use, for his, her, or their benefit, or to the use or benefit of any other protestant or protestants, though not inrolled, or not inrolled in due time, shall be as good and effectual in the law as the same would have been in case the faid deeds and wills had been inrolled within the times limited by the faid clauses in the faid acts for the inrollment thereof; provided the same deeds and wills shall be involled on or before the first day of January, one thoufand seven hundred and seventy-eight, in such manner as by the said clause in the said first-mentioned act is directed.

II. Provided always, That nothing herein contained shall This act not extend, or be construed to extend, to give effect to any deed, to extend to will, or other instrument, the want of inrollment or validity validity whereof has already been brought in question, in any action or whereof has fuit commenced or profecuted in any court of law or equity.

III. And whereas many purchases made by protestants may be in brought in danger of being impeached or called in question, in regard that some question. deeds or wills, through which the title thereto is derived, ought to have been inrolled according to the said acts, but have not been so inrolled: be it therefore further enacted by the authority aforesaid, That Purchases no purchase made for full and valuable consideration of any made by promanors, messuages, lands, tenements, or hereditaments, or of be avoided, on any interest therein, by any protestant or protestants, and merely account of the and only for the benefit of the protestants, shall be impeached title-deeds or avoided, for or by reason that any deed or will, through not having which the title thereto is derived, hath not been inrolled as re-been inrolled, quired by the faid acts, so as no advantage was taken of inroll-etc. ment thereof before such purchase was made, and so as no decree or judgement shall have been obtained for want of the inrollment of fuch deeds or wills.

IV. Provided also, That nothing herein contained shall extend, This act not or to make good Vol. XXXI. Ff

already been

papilt.



any grant of the right of presentation to any benefice, etc. in trust for any Anno decimo septimo Georgii III. c. 46. [1777.

or be construed to extend, to make good any grant, lease, or mortgage, of the advowson or right of presentation, collation, nomination, or donation, of and to any benefice, prebend, or ecclesiastical living, school, hospital, or donative, or any avoidance thereof made by any papist, or person professing the popish religion, in trust, directly or indirectly, mediately or immediately, by or for any such papist, or person professing the popish religion, whether such trust hath been declared by writing or not.

#### C A P. XLVI.

An act for raising a certain sum of money by way of annuities, and for establishing a lottery.

Preamble. 5,000,000l. to be raised by annuities, and 500,000l. by a lottery. Contributors to the 5,000,000 l. to be intitled to certain annuities; which fhall be charged upon the finking fund. Every contributor of rool. shall, upon payment of rol. more, be intitled to a lottery ticket. Preamble; reciting that books have been opened at the bank, and deposits made, pursuant to a resolution of the house of commons. All persons who have made deposits, pursuant to the aforesaid resolution, are required to pay the remainder of their subscriptions at certain times specified. Subscribers to the annuities to be allowed interest for all monies paid in advance. Subscribers to the lottery, on paying in the whole of their subscriptions, shall receive tickets to the amount thereof. Subscribers to the 5,000,000l. intituled to an annuity of 4l. per cent. for 10 years, etc. and an annuity of nos. for ten years only. Annuities to be payable and transferrable at the bank of England, etc. Cashier of the bank to give receipts to contributors for money received; which shall be affignable, etc. Cashier to give fecurity, to the good liking of the commissioners of the treasury; and to pay all monies received into the exchequer. Commissioners of the treasury impowered to apply the money paid in by the cashier. A book to be provided in the accountant-general's office, in which contributors names shall be entered, etc. Subscriptions paid in part, and not completed, shall be forfeited to the publick. As soon as contributors have completed their payments, the fums subscribed shall, in the books of the bank, be placed to their credit. Contributors who shall pay 301. per cent. of their subscriptions, on or before June 30, 1777, shall have an annuity of 10 s. for every 2001. subscribed, to continue for ten years. Annuities granted by this act charged upon the finking fund. Governor, etc. of the bank to appoint a chief cashier, and accountant general. Monies to be issued at the exchequer to the chief cashier, for payment of annuities created by this act. Accountant-general to examine receipts and payments. Annuities to be deemed personal estate. Books to be kept by the accountant-general, wherein shall be entered all transfers of sums advanced on this act. Method of transferring. The annuities of 10s. per cent per ann. shall be a separate stock from the other annuities. Persons possessed of stock may devise the same by will, etc. Commissioners of the treasury to discharge all incidental charges attending the execution of this act. After the expiration of 10 years, from April 5, 1777, on fix months notice, and repayment by parliament, etc. annuities to ceale. The bank to continue a company till redemption of the annuities. 500,000 l. to be raifed by a lottery; the prizes whereof to be paid out of any supplies granted this fession. Managers and directors of the lottery to be appointed by the treasury. Method of the lottery books. Ticket. Managers to examine the books with the tickets, and deliver them to the cashiers of the bank, taking a receipt for the same. Cashiers to return the books, with the undisposed tickets, with an account of monies paid in. Undisposed tickets to be delivered into the exchequer. Tickets of the middle columns to be rolled up, and fastened with thread or filk; and cut off indentwife into a box marked with the letter (A.) Box to be locked up, and fealed. Books to be prepared with two columns, on each of which 50,000 tickets are to be printed. The number and value of the fortunate tickets. 500 l. to each first-



## 1777.] Anno decimo septimo Georgii III. c. 47,48.

first drawn ticket of the first ten days, and 1000 l. to the last drawn. Tickets of the outermost columns of the last-mentioned books to be rolled up and tied. Publick notice to be given of putting the tickets into the boxes. Lottery to begin drawing on Nov. 17, 1777. Method to be observed in drawing, etc. Number of the fortunate tickets, and the sums, to be printed. Disputes to be adjusted by the managers. Penalty on forging tickets, etc. Felony. Offenders (not in prison) discovering perfons guilty, to receive a pardon, and sol. reward. Proviso. Managers to be sworn. The oath. Cashier may receive the sums subscribed before receiving the lottery book; giving a note for the same; which shall entitle the bearer to a ticket for every 101. fo paid. Contributors not making good their payments within the times limited, forfeit their deposits with respect to the lottery; and the tickets for such sums to be delivered into the exchequer. Commissioners of the treasury may reward the managers, etc. as they shall think fit. Limitation of the sale of chances, etc. Penalty. Office-keepers, etc. felling shares in tickets of which they are not possessed, forfeit 500 l. and suffer three months imprisonment. No person shall keep any office for the sale of tickets, etc. in Oxford or Cambridge, on penalty of 201. Offenders may be profecuted in the Vice-chancellor's court. Forfeitures may be levied by diffress, etc. Proceedings not to be removed by Certiorari, until sufficient surety is given to prosecute the same with effect, etc. This act not to prejudice the privileges and jurisdictions of the mayor, etc. of Oxford. Offences committed in Ireland against British acts for preventing unlawful lotteries, made punishable : penalties may be fued for in Dublin. The 500,000 l. for the payment of the fortunate tickets, to be charged on any supplies granted this session; and shall be paid to the proprietors, without any deduction, on March 1, 1778, etc. Managers to give notice of the times for exchanging tickets for certificates. Certificates to be numbered, etc. and figned, etc. No fee to be taken for receiving or paying contribution-monies, or for any receipts, &c. on penalty of 201. General issue. Treble costs.

#### C A P. XLVII.

An act for granting to his Majesty a certain sum of money out of the sinking sund, and for applying certain monies therein mentioned for the service of the year one thousand seven hundred and seventy-seven; and for surther appropriating the supplies granted in this session of parliament.

## C A P. XLVIII.

An act for rendering more effectual an act made in the fourteenth year of the reign of his present Niajesty, for promoting the discovery of a method for finding the longitude at sea, so far as relates to the encouragement and reward of persons making lesser discoveries for finding the same, or making other useful discoveries and improvements in navigation; and to the making of experiments relating thereto.

WHEREAS by an act, made in the fourteenth year of the reign Preamble.
of his present Majesty, (intituled, An act for the repeal of all Act 14Geo. 3.
former acts concerning the longitude at sea, except so much thereof recited.
as relates to the appointment and authority of the commissioners
thereby constituted, and also such clauses as relate to the constructing, printing, publishing, vending, and licensing of nautical almanacks and other useful tables; and for the more effectual encouragement and reward of such person and persons as shall discover
a method for finding the same, or shall make useful discoveries in

Ff2



410

Anno decimo septimo Georgii III. c. 48. [1777navigation; and for the better making experiments relating thereto;) the commissioners for the discovery of longitude at sea were authorised and impowered to hear and receive any proposal or proposals for discovering the said longitude, or for making any other useful improvement in navigation; and in case they should think it proper to cause experiments to be made thereof, then to certify the same, together with the names of the author or authors of such proposal or proposals, under their hands and seals, to the commissioners of the navy; and were also authorised and impowered, in case they should adjudge any person or persons to have made any discovery for finding the longitude at sea, which, though not of so great use as to be intitled to any of the great rewards in the said recited att specified, yet that the said discovery was of considerable use to the publick, or to have made any other discovery or discoveries, improvement or improvements, useful to navigation; then to certify from time to time, under their hands and feals, to the said commissioners of the navy, such less reward or sum or sums of money as they the said commissioners for the discovery of longitude should think reasonable to he paid to such person or persons; and the said commissioners of the navy were thereby authorised and required to make out a bill or bills upon the treasurer of the navy, for such sum or sums of money as the said commissioners for the discovery of longitude should think nice fary for making such experiments, or for rewarding in a lesser degree lesser discoveries for finding the longitude at sea, or any other discoveries and improvements useful to navigation; which sum or sums of money the said treasurer was thereby authorised and required to pay immediately to such person or persons, his or their executors, administrators, or assigns, out of the money that should be in his the said treasurer's hands unapplied to the use of the navy: and whereas, by reason of several payments made by the treasurer of the navy to several persons in pursuance of the directions of the said act, the fuid commissioners for the discovery of longitude have nearly expended the whole of the sum of five thousand pounds granted by the said att for the purposes aforesaid: and whereas, if proper encouragement and rewards were continued to be given to fuch ingenious person or persons as shall make any discovery for finding the longitude at sca, which, though not of so great use as to be entitled to any of the great rewards in the said recited att specified, shall nevertheless be adjudged, by the commissioners for the discovery of longitude, to be of considerable use to the publick, or who shall make other useful discoveries and improvements in navigation, it would contribute to the advantage of the trade and to the honour of this kingdom; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament affembled, and by the authority of the same, That it shall and may be lawful to and for the faid commissioners for the discovery of longitude, and they have hereby full power and authority, whenever they shall be satisfied of the probability of any proposal or proposals that shall be made to them for discovering the faid longitude, or making any other useful discovery and improvement in navigation, so as to think it proper to cause experi-

Commissioners of the navy, on being certified by the com missioners of longitude of the probability of any



# 1777.] Anno decimo septimo Georgii III. C. 49.

experiments to be made thereof, to certify the same to the com- proposals for missioners of the navy; and also in case they shall adjudge any discovering the longitude, person or persons to have made any discovery for finding the etc. longitude at sea, which, though not of so great use as to be intitled to any of the great rewards in the faid recited act specified, yet that the faid di covery is of confiderable use to the publick, or to have made any other discovery or discoveries, improvement or improvements, useful to navigation, to certify such less reward, or fum or fums of money, as they the faid commissioners for the discovery of longitude shall think reasonable to be paid to fuch person or persons; and the commissioners of the navy are shall order a hereby authorifed and required to make out a bill or bills upon reward to be the treasurer of the navy, for such sum or sums as shall be so paid to the certified to them by the faid commissioners for the discovery of authors of such propolongitude; and the faid treasurer of the navy is hereby authorised fals. and required to pay immediately such sum or sums, to the perfon or persons who shall be appointed by the said commissioners for the discovery of longitude to make such experiments, or to receive such less reward or sum or sums of money for making lesser discoveries for finding the longitude at sea, or any other discoveries and improvements useful to navigation, out of any money which shall be in his the said treasurer's hands unapplied to the use of the navy.

II. Provided always, and be it enacted, That all such sum or The sums to fums of money as shall be paid by the treasurer of the navy, by be paid by virtue of this act, for the purposes of making such experiments virtue of this as aforesaid, and of rewarding in a lesser degree lesser discoveries exceed 5,0001. for finding the longitude at fea, and also other discoveries and improvements useful to navigation, do not all together exceed

the fum of five thousand pounds.

III. Provided also, That such sum or sums shall be certified, The sums to and such bills shall be made out, and payment thereof made, in be certified, fuch manner, and under the same regulations and provisions, and payment as are in and by the said recited act prescribed, with regard to able to the the fum of five thousand pounds, by the said act made applicable regulations of to the encouragement and reward of fuch person or persons as the aboveshould make lesser discoveries for finding the longitude at sea, recited act. or make other useful discoveries and improvements in navigation, and to the better making of experiments relating thereto.

## CAP. XLIX.

An act to enable the lords commissioners of his Majesty's treasury to compound a debt due to the crown from the estate of William Harry deceased, and his sureties.

## CAP. L.

An act for granting to his Majesty certain duties on licences, to be taken out by all persons acting as auctioneers; and certain rates and duties on all lands, houses, goods, and other things, sold by auction; and upon indentures, leases, bonds, deeds, and other instruments.

Most gracious Sovereign,

Preamble.

E, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, think that it would be for the advantage of the publick that all persons using or exercising the trade or business of an auctioneer should be obliged to take out a licence for that purpose, specifying their names and places of abode respectively, and to grant unto your Majesty a duty upon such licences, and also a certain rate upon all sales of any estates, goods, or effects what soever, sold by way of auction, as herein-after mentioned; and therefore do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the After Sept.29, twenty-ninth day of September, one thousand seven hundred and seventy-seven, every person exercising the trade or business of an auctioneer, within the cities of London and Westminster, and the weekly bills of mortality, shall yield and pay annually, to and sos. annually; for the use of his Majesty, his heirs and successors, for a licence to use and exercise the said trade or business, the sum of twenty shillings; and every person exercising the trade or business of an auctioneer, without the cities of London and Westminster, and the weekly bills of mortality, shall yield and pay annually, to and for the use of his Majesty, his heirs and successors, for a licence to use and exercise the said trade or business, the sum of five shillings.

bills of mortality, to pay

1777, every auctioneer,

within the

and without the faid bills, s. annualiy.

> II. Provided always, and be it further enacted, That no perfon who shall be authorised by the lord mayor and court of aldermen of the city of London, to act as a broker within the said city, shall be liable to the payment of any greater yearly sum than five shillings, for a licence to act as an auctioneer within the cities of London and Westminster, any thing in this act to the contrary notwithstanding.

Brokers authorned by the lord mayor, etc. of London, may act as auctioneers, on payment of 5s annually. No person, as an auctioneer or factor, at the fale of any estates, etc without taking out a licence.

III. And be it further enacted by the authority aforesaid, after Sept. 29, That, from and after the faid twenty-ninth day of September, no 3777 shall act person or persons whatsoever, who now, or at any time or times hereafter, doth or shall exercise the calling or occupation of an auctioneer, agent, factor, or seller by commission, at any sale of any estates, goods, or effects whattoever, by outcry, knocking down of hammer, candle, by lot, parcel, or any other mode of sale at auction, or whereby the best or highest bidder is deemed to be the purchaser, or who shall act in any of the said capacities,



## 1777.] Anno decimo septimo Georgii III. c. 50.

shall presume, by him, her, or themselves, or by any other perion or persons whatsoever, employed by him, her, or them, for his, her, or their benefit, to deal in, vend, or fell any fuch estates, goods, or effects whatfoever, by publick fale or otherwise, by way of auction, as aforesaid, in any manner whatsoever, without first taking out a licence, in manner herein after mentioned, before he, she, or they, shall so put up to sale, or sell any such estates, goods, or effects, by publick sale, by way of auction, as aforesaid; and in which licence shall be set forth the true name and place of abode of the person or persons taking out the same; for which he, she, or they shall, immediately upon the taking out thereof, pay down for each and every licence, fo to be taken out from time to time, the faid feveral sums of twenty shillings, and five shillings, respectively, over and besides any other duties or payments to which such person or persons may be liable for trading in, vending, or felling any gold or filver plate, or otherwise, in manner following; that is to say, If such Certain perlicences be taken out within the limits or jurisdiction of the chief sons authorioffice of excise in London, then such licences shall be granted zed to grant under the hands and seals of two or more of his majesty's com-licences, in England; missioners for the duty of excise, for the time being, or of such officer as the commissioners of excise shall appoint for that purpose, and the said duty of twenty shillings for the same shall be paid at the chief office of excise in London; but if such licences shall be taken out without the limits aforesaid, then such licences shall be granted under the hands and seals of the several collectors and supervisors of excise, within their respective collections and difricts, and the faid duty of five shillings for the same shall be paid, by all and every the persons so taking out such licences, at the office of excise next adjoining to the place where they respectively refide or inhabit, or at any other place, and to fuch persons as his Majesty's commissioners of excise for the time being shall appoint to deliver out such licences and to receive the said duty: and in case such licences be taken out within the limits of the and in Scotcity of Edinburgh, such licences shall be granted under the hands land. and feals of two or more of his Majesty's commissioners of excife in Scotland for the time being, and the duty of five shillings for the same shall be paid at the chief office of excise in Edinburgh, in the same manner as is herein-before directed in regard to the licences to be taken out within the limits or jurisdiction of the chief office of excise in London; but if such licences shall be taken out in any other part of Scotland, without the limits aforesaid, then such licences shall be granted under the hands and seals of the several collectors and supervisors of excise in Scotland, within their respective collections and districts, and the duties for the same shall be paid in like manner as is herein-before directed with regard to the licences to be taken out in England, without the limits or jurisdiction of the chief office of excise in London: and such respective commissioners of excise, and the persons appointed by them respectively, and also all such collectors and supervisors are hereby respectively authorised and required to Ff4

Anno decimo septimo Georgii III. c. 50. grant and deliver such licences to all persons applying for the fame, upon their paying the several sums of twenty shillings, and five shillings, as aforesaid, respectively, for each and every fuch licence.

Licences to be renewed, and 20 8. or 5 8. paid, every year:

414

within the bills of mortality; of 100 l.

and, if without the bills, of 50 l.

After Sept. 29, 3777, certain duties laid on lands, houses, etc. fold by auction;

to be paid by the auctioof the fale. Every auctioneer, within the limits of the chief office of excise in London, to give fecurity, by bond for 2001. to

IV. And be it further enacted by the authority aforesaid, That every person or persons who shall take out any such licence as aforesaid, is and are hereby required to take out a fresh licence, ten days at least before the expiration of twelve calendar months after the taking out the first licence, before he, she, or they do presume to vend or sell by way of auction, as aforesaid, and in the same manner to renew every such licence from year to year, paying down the like fum of twenty shillings, or of five shillings, respectively, for each and every new or renewed licence, on penalty, if at the places and at the times before-mentioned: and if any perfon or persons shall presume or offer to vend or sell by way of auction, as aforesaid, without first taking out such licence, and renewing the same yearly, in manner aforesaid, such person or persons shall, if the offence shall be committed within the cities of London or Westminster, or within the weekly bills of mortality, forfeit and lose, for every such offence, the sum of one hundred pounds; and if such offence shall be committed in any place without the limits aforesaid, then such person or persons shall, for every such offence, forfeit and lose the sum of fifty pounds.

V. And be it further enacted by the authority aforesaid, That, from and after the faid twenty-ninth day of September, there shall be raised, levied, collected, and paid, in such manner as hereinafter is mentioned, to and for the use of his Majesty, his heirs and successors, for and upon all manner of sales by way of auction, as aforesaid, in Great Britain, the respective rates and duties herein-after expressed; (that is to say) the sum of three-pence for every twenty shillings of the purchase-money arising by sale at auction, of any interest, in possession or reversion, in any freehold, copyhold, or leasehold lands, tenements, houses, or hereditaments, and of any annuities or fums of money charged thereon, and of any utenfils in husbandry and farming, stock, ships, and vessels, and of any reversionary interest in the publick funds; and the sum of sixpence for every twenty shillings out of the purchase-money arising by sale at auction, of all furniture, fixtures, plate, jewels, pictures, books, horses, and carriages, and all other goods and chattles whattoever; the faid respective rates and duties to be paid by every fuch auctioneer, agent, neer, etc. out factor, or seller by commission, out of the monies arising at each of the produce and every fuch fale or auction, as aforefaid.

VI. And it is hereby further enacted by the authority aforefaid, That, from and after the said twenty-ninth day of September, each and every person acting as auctioneer as aforesaid, at every fuch publick fale or auction, in London, Westminster, or in any other parts within the limits or jurisdiction of the chief office of excise in London, shall, at the time of receiving such licence, give fecurity, by bond, to his Majesty, his heirs and successors, in the sum of two hundred pounds, with two or more sufficient sureto his Majesty, ties, which security the said commissioners for the duty of excise

respectively



## 1777.] Anno decimo septimo Georgii III. C. 50.

respectively for the time being, or any two or more of them, or fuch person or persons as the said commissioners of excise respectively shall appoint to deliver out such licences, and to receive the said duties, is or are hereby authorized to take, that he will, within fourteen days after each and every such sale or that he will, auction, deliver to the person or persons, so to be appointed as within 14 days aforesaid, an exact and particular account in writing, of the total after every amount of the money bid at such sale, and of the several articles, ver a particulots, of parcels, which shall have been sold, the price of each lar account article, lot, or parcel, in every such sale, and what article or ar- in writing of in by the owner, or by his direction (fuch direction to he in ney bid, and in by the owner, or by his direction, (fuch direction to be in the price of writing, and witnessed by the owner); and at the same time each lot, etc. make payment of all such sumand sums of money as shall be due and payable to his Majesty, in pursuance of, and according to, the true intent and meaning of this act; which sum or sums of money he is hereby authorized and directed to retain out of the produce of each sale made as aforesaid; and such person, or the person acting as clerk at such sale (if any) shall make oath of the truth of every such account, before the officer appointed to receive the said duty, which oath such officer is hereby authorized and required to adminster : and if it shall appear to the satisfac- And if it shall tion of the said commissioners, or of the person or persons so ap. appear to the pointed by them in this behalf, as aforesaid, that the party giving commissioners fuch bond bath afted agreeably to the directions of this act due of excise, etc. fuch bond hath acted agreeably to the directions of this act, du- that the aucring the respective year for which his licence was to continue in tioneer hath relation whereto each bond shall have been so given; then, in acted agreeaeach and every such case, they shall cause such bond to be deli-bly to this act vered up; but in case no such account shall be delivered as shall be deliherein-before mentioned, or if it shall appear that any such ac- vered up; count was not truly made, or that the party hath acted contrary but if the conto the true intent and meaning of such bond, and of this present trary shall apact, it shall and may be lawful for the said commissioners, or the pear, the bond persons so appointed by them, as aforesaid, (unless they shall cuted, etc. find sufficient cause to forbear the same), to cause each and every fuch bond to be profecuted according to law; and thereupon, in case of a verdict or judgement against the defendant, such licence shall thenceforth become void to all intents and purposes, and such defendant shall from thenceforth be incapable of ever after having any fuch licence, and in case of acting under colour of any such licence shall be liable to all the penalties which may be incurred by this act for acting as an auctioneer without licence.

VII. And it is hereby further enacted by the authority afore- Every auctiofaid, That each and every person so acting as aforesaid, at every neer, without such publick sale or auction, in any other part of Great Britain, the bills of mortality, shall, at the time of receiving such licence as aforesaid, give se- shall give curity by bond, as aforesaid, in the sum of fifty pounds; which bond, as asecurity the collectors or supervisors, or other officer to be ap- foresaid, for pointed for granting such licence as aforesaid, shall, and they are 501. hereby authorized to take; that he will, within fix weeks after that he will, every fuch sale, deliver in an exact and particular account, as is within 6

herein- weeks after

Anno decimo septimo Georgii III. c. 50.

ticular account, etc.

each sale, de- herein-before required to be delivered by persons vending or liver in a par- felling by auction, within the bills of mortality, and shall at the fame time make payment of all fuch fum and fums of money as shall be due and payable to his Majesty, for or on account of each sale by him made, from time to time, within such six weeks respectively; and all the powers, directions, penalties, and forfeitures, herein-before prescribed or contained, for the better levying, securing, or accounting for the said duties, shall be obferved in the said several collections and districts respectively, as if the same were again particularly repeated and re-enacted.

Auctioneer may make it a condition of fale, that the purchaser shall pay the rate granted by this act.

VIII. Provided always, and it is hereby further enacted, That nothing herein contained shall extend, or be construed to restrain any feller by auction, or person acting as auctioneer at any sales by way of auction, from making it a condition of sale, that the pound-rate granted by this act, or any certain portion thereof, shall be paid by the purchaser, over and above the price bidden at fuch fale by auction; and in such case, the person so acting as auctioneer is hereby authorised and required to demand payment of the faid duty from such purchaser or purchasers, or fuch portion thereof as expressed in such condition or agreement, and upon neglect or refusal to pay the same, such bidding shall be null and void to all intents and purposes.

This act not to alter any contract between buyer and feller by auction, etc.

IX. Provided also, That nothing in this act contained shall be construed to alter, change, determine, or make void, any other condition, contract, covenant, or agreement whatfoever, between any buyer or feller by auction, or any other person, touching the payment of any of the rates or duties hereby respectively imposed, so as the same do not extend to the lessening or abatement of the full sum appointed by this act to be raised, levied, collected, and paid, as is herein-before mentioned and directed, any thing herein contained to the contrary notwithstanding.

If the owner of any estate, etc. fold by auction, shall be the purchaler, he shall be allow-

X. Provided also, and it is hereby further enacted by the authority aforesaid, That in case the real owner of any estate, goods, or effects, put up to sale by way of auction, shall become the purchaser by means of his own bidding, or the bidding of any other person on his behalf, or for his use, at such sale, without fraud or collusion, then and in such case the respective commised the duties; sioners of excise in Great Britain, and such collectors, supervisors, and other officers of excise, as are hereby respectively authorized within their respective collections and districts to receive the faid duties, are hereby authorized and required to make an allowance to such owner of the duties arising by this act upon such bidding; provided notice be given to the auctioneer before such bidding, both by the owner and the person intended to be the bidder, of the latter being appointed by the former, and having agreed accordingly to bid at the sale, for the use and behoof of the feller; and provided fuch notice be verified by the oath of the auctioneer, as also the fairness and reality of the said transaction, to the best of his knowledge and belief : and in case any dispute shall arise whether such purchase by the owner was not made by collusion, or in order to lessen the full sum appointed by this act to be paid, or concerning the fairness of such transaction; then,

and

provided notice be given to the auctioneer before the fale, etc. who thall make oath of the same, etc.



### 1777.] Anno decimo septimo Georgii III. c. 50.

and in such cases the proof thereof shall lie upon the person acting as auctioneer; and on failure therein, or in case of any unfair practice, then no such allowance shall be made, as aforefaid, any thing herein contained to the contrary notwithstanding.

XI. Provided also, and it is hereby further enacted, That no- Certain sales thing in this act contained shall extend to any sale or sales by to which this way of auction of estates or chattles, made by any rule, or order, act shall not or decree, of his Majesty's court of chancery, or of exchequer, extend. in England, before the masters in chancery, or the deputy remembrancer of the faid court of exchequer; or by any order or decree of the courts of session or exchequer in Scotland respectively; or at any such sales made by the East India company, or the Hudson's Bay company, or by order of his Majesty's com millioners for the duty of customs or of excise, or by order of the board of ordnance, or commissioners of the navy and victualling, or any such sales of estates or chattels, made by the theriff in execution of judgements, or of goods distrained for rent, or for nonpayment of tithes, or of goods and effects of bankrupts, fold by order of the assignees, under a commission of bankruptcy, any thing herein contained to the contrary notwithstanding.

XII. Provided also, and it is hereby further enacted by the This act not authority aforesaid, That nothing in this act shall extend, or be to extend to construed to extend, to charge with the said tax or duty, any the first sale goods imported into this kingdom by way of merchandize from of goods imany British colony or plantation in America, on the first sale of any British cofuch goods, by or for the account of the original importer, to lony in Ameriwhom the same were consigned, and by whom they were enter- ca, etc.

ed at the custom-house, at the port of importation, so as such fale be made within twelve months after fuch goods shall be so imported; nor to any ships, or their tackle, apparel, and furni-nor to ships, ture, or the cargoes thereof which may be taken and condemned etc. taken as as prize, which thall be fold in this kingdom, by or for the be- prize, and nefit of the captors thereof; nor to any thips or goods that may benefit of the be wrecked or stranded in this kingdom, and sold by auction captors, etc. for the benefit of the infurers or proprietors thereof, or which may be fold free of duty to defray the charges of falvage; nor to nor to fales fales made for the benefit of creditors, by the direction of any made for the deed or deeds, executed before the first day of April, one thou-benefit of fand seven hundred and seventy-seven; nor to sales made by trustees, chosen in pursuance of an act, made in the twelfth year of the reign of his present Majesty, (intituled, An all for

rendering the payment of the creditors of insolvent debtors more equal and expeditious, and for regulating the diligence of the law by arrestment, and poinding, and for extending the privilege of bills to promissory notes, and for limiting actions upon bills and promissory notes, in that part of Great Britain called Scotland); any thing herein contained to the contrary notwithstanding.

XIII. Provided also, That nothing in this act contained shall sales of cerextend to the sale or sales of any estate or estates to be held by a tain estates, lease or leases, or copy or copies of court rolls or entries, for a woods, etc. life or lives, or for any term or terms of years; or to the sale or act shall not

fales extend.



### Anno decimo septimo Georgii III. C. 50. [1777:

fales of any woods, coppices, produce of mines or quarries, or to any contract relating thereto, or to the cutting or working the fame, or to the fale of any materials used in the working of such mines or quarries respectively; or to the sale of any cattle, and live or dead flock, or unmanufactured produce of land, fo as such fale or fales of woods, coppices, produce of mines or quarries, cattle, corn. stock, or produce of land, be made whilst they continue on the lands, producing the same, and by the owner or owners of fuch lands, or proprietor or proprietors of, or adventurer or adventurers in, such mines or quarries respectively, or by his or their steward or agent, stewards or agents; any thing herein-before contained to the contrary thereof notwithstanding. XIV. And be it further anacted by the authority aforesaid,

Duties arifing by this act to be paid into the exchequer leparate trom all others.

That all the money arifing by the rates and duties respectively chargeable by this act (the necessary charges of raising and accounting for the same excepted) shall from time to time be paid into the receipt of his Majesty's exchequer at Westminster, separate and apart from all other branches of the publick revenues, and shall be carried to, and made part of, the fund, commonly called The Sinking Fund.

Penalties and forfeitures how to be re. covered and applied.

XV. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures imposed by this act, shall be fued for, levied, recovered, or mitigated, by fuch ways, means, and methods, as any fine, penalty, or forfeiture is or may be recovered or mitigated by any law or laws of excise, (not otherwise directed by this act) or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, or in the court of exchequer in Scotland; and that one moiety of every such fine, penalty, or forfeiture, (all necessary charges for the recovery thereof being first deducted) shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall discover, inform, or sue for the same.

After Aug. 1, 1777, an additional itamp-duty ot 1s. 6d. shall be paid for every fkin etc. for which 14. is payable

XVI. And be it further enacted by the authority aforesaid, That, from and after the first day of August, one thousand seven hundred and seventy-seven, there shall be raised, levied, collected, and paid, throughout the kingdom of Great Britain, unto and for the use of his Majesty, his heirs and successors, the several rates and duties following; that is to fay, for every skin or of parchment, piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, in Great Britain, by act 16 Geo. any indenture, leafe, bond, or other deed (fave and except poli-3. Cou. So cies of insurance) for which a stamp-duty of one shilling is payable, by virtue of an act made in the fixteenth year of the reign of his present Majesty, over and above all other rates and duties by the said act, or by any other act of parliament imposed, an additional stamp-duty of one shilling and sixpence.

Additional stamp duries to be paid after July 5, 1777:

XVII. And be it further anacted by the authority aforesaid, That, from and after the fifth day of July, one thousand seven hundred and seventy-seven, there shall be raised, levied, collected, and paid, throughout the kingdom of Great Britain, unto and for the use of his Majesty, his heirs and successors, the rates and duties following; (that is to fay),

For



### Anno decimo septimo Georgii III. C. 50 1777-1

For every skin or piece of vellum or parchment, or sheet Conveyance, or piece of paper, upon which shall be ingrossed, written, surrender, etc. or printed, any conveyance, furrender of grants or offices, release, or other deed whatsoever, which shall be inrolled of record in any of the courts at Westminster, or in any other court of record whatsoever, or by any Custos Rotulorum, or clerk of the peace, over and above the duty now payable thereon, an additional stamp-duty of two shillings and fixpence:

For every skin or piece of vellum or parchment, or sheet Policy of inor piece of paper, upon which shall be ingrossed, written, or surance for printed, in Great Britain, any policy of insurance, whereby the above rood., property of one or more persons in houses and goods, or both, 55. shall be insured to a greater amount, in the whole, than one thousand pounds, over and above the several duties by any acts of parliament already imposed; an additional stamp-duty of five

fhillings:

pence:

For every skin or piece of vellum or parchment, or sheet Copyhold or piece of paper, upon which shall be ingrossed, written, or surrender, etc. printed, any surrender of, or admittance to, any copyhold land 25. 3d. or tenement, within those parts of Great Britain called England, Wales, and the town of Berwick upon Tweed, or any grant or lease, by copy of court roll, or any other copy of the court roll of any honor or manor, within the said parts of Great Britain, (other than and except the original furrender to the use of a will, and the court roll or books wherein the proceedings of the court are entered or inrolled) over and above the duty now payable thereon, an additional stamp-duty of two shillings and three-

For every skin or piece of vellum or parchment, or sheet Surrender of or piece of paper, upon which shall be ingrossed, written, any customor printed, any copy of any furrender of, and admittance to, not being coany custom-right or tenant-right estate, not being copyhold, pyhold, 43. 6d. which shall pass by surrender and admittance, or by admittance only, and which thall not pass by deed within those parts of Great Britain called England, Wales, and the town of Berwick

upon Tweed, a stamp-duty of four shillings and sixpence:

For every skin or piece of vellum or parchment, or sheet Surrender of or piece of paper, upon which shall be ingrossed, written, lands, etc. or printed, any principal or original instrument of surrender or to superiors, refignation of any lands, tenements, hereditaments, or heritable is. 6d. rights, to be made to any of his Majesty's subjects, who are or shall be superiors thereof, or to any city, town, borough, or corporation, or to any magistrates or others who have power to receive such surrenders or resignations, in Scotland, over and above the duty now payable thereon, an additional stamp-duty of one shilling and fixpence:

For every skin or piece of vellum or parchment, or sheet Retour of feror piece of paper, upon which shall be ingrossed, written, vice of neirs, or printed, any principal or original retour of any service of heirs, etc. 18. 6d. or any precept of Clure Constat of lands or tenements, holding of any subject as aforesaid, in Scotland, over and above the duty

420

Anno decimo septimo Georgii III. c. 50. now payable thereon, an additional stamp-duty of one shilling and fixpence:

Charter of relignation, etc. 1 s. 6 d.

For every skin or peice of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any charter of refignation, confirmation, Novo damus, or charter upon apprizing or adjudication made or granted by fuch superior, or others, as aforefaid, in Scotland, over and above the duty now payable thereon, an additional stamp-duty of one shilling and sixpence:

Original faigage, etc. 1 s. 6 d.

For every skin or piece of vellum or parchment, or sheet fine taken up- or piece of paper, upon which shall be ingroffed, written, on any mort- or printed, any principal or original faifine taken or following upon any mortgage, wadset, heritable bond, alienation, or disposition, or upon any charter, precept of Clare Constat, Retours, apprizings, or adjudications of lands or tenements, holding of any subject as aforesaid, in Scotland, over and above the duty now payable thereon, an additional stamp-duty of one shilling and fix-pence:

Original inftrument of furrender, fervice of beirs, etc. I S. 6d.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed, written, or printed, any principal or original instrument of surrender or resignation, service or cognition of heirs, charter, or saisine of any houses, lands, tenements, or hereditaments, holding burgage, or of burgage tenure, in Scotland, over and above the duty now payable thereon, an additional stamp-duty of one shilling and fixpence.

The additional and new beforegranted thall be under the management of the commissioners of the itampduties.

XVIII. And be it further enacted by the authority aforesaid, That, for the better and more effectual levying, collecting, and duties herein- paying all the faid additional and new duties herein-before granted, the same shall be under the government, care, and management of the commissioners for the time being appointed to manage the duties charged on stamped vellum, parchment, and paper; who, or the major part of them, are hereby required and impowered to employ the necessary officers under them for that purpose; and to use and provide such stamps to denote the said several duties as shall be requisite in that behalf, and to do all other things necessary to be done for putting this act in execution with relation to the faid feveral rates and duties herein-before granted, in the like, and in us full and ample manner as they, or the major part of them, are authorised to put in execution any former law concerning stamped vellum, parchment, or paper.

Commissioners may cause one new itamp to be provided, to veral duties on each fkin of parchment, etc.

XIX. Provided always, and be it further enacted by the authority aforesaid, That, to prevent the multiplication of stamps upon fuch pieces of vellum or parchment, or theets or pieces of paper, on which feveral duties are by feveral acts of parliament imposed, it shall and may be lawful for the said commissioners, denote the fe instead of the distinct stamps directed to be provided to denote the several duties on the vellum, parchment, or paper, charged therewith, to cause one new stamp to be provided, to denote the said several duties, and the duty granted by this act, on every

picce



1777.] Anno decimo septimo Georgii III. c. 50.

piece of vellum or parchment, or sheet or piece of paper, charg-

ed with the faid several duties.

XX. And be it further enacted by the authority aforesaid, That Vellum, all vellum, parchment, and paper, liable to the duties hereby parchment, or charged, shall, before the same shall be ingrossed, printed, or to the aforewritten upon, be brought to the head office for stamping or said duties, marking vellum, parchment, or paper; and the faid commif- shall, before sioners, by themselves, or by their officers employed under them, ingrossing, etc. shall forthwith, upon demand to them made by any person or the head office persons, from time to time, stamp or mark, as this act directs, for stamping. any quantities or parcels of vellum, parchment, or paper, as shall be brought to them for that purpose, the persons so bringing the same paying to the receiver-general of the stamp-duties for the time being, or his deputy or clerk, the several duties payable for the same by virtue of this act.

XXI. And be it further enacted by the authority aforesaid, Usual allow-That the same allowance shall be made on present payment of ance to be made for prethe several duties granted by this act, in such manner as by any sent payment former law relating to stamped vellum, parchment, or paper, is of the duties.

directed and allowed.

XXII. And be it further enacted by the authority aforesaid, Duties to be That the several duties herein-before granted shall be paid, from paid to the time to time, into the hands of the receiver-general for the time ral of the being of the duties on stamped vellum, parchment, and paper, stamp-duties, who shall keep a separate and distinct account of the several rates etc. and duties, and pay the same (the necessary charges of raising, paying, and accounting for the same being deducted) into the receipt of the exchequer, for the purpose herein-after expressed. at such time, and in such manner, as any former duties on stamped vellum, parchment, or paper, are directed to be paid.

XXIII. And be it further enacted by the authority aforesaid, Stamps direct-That such stamps as the said commissioners are hereby directed ed to be used and authorised to provide and use, shall and may be altered and by this act, renewed, in such manner as any other stamps on vellum, parch- and renewed. ment, or paper, are by any former law relating to stamped vel- etc. lum, parchment, or paper, directed to be altered and renewed; and that all persons who shall have in their custody or possession any vellum, parchment, or paper, marked with the stamp or mark which shall be so altered or renewed, or on which, being already stamped with a stamp denoting any former duty, a new stamp is hereby directed to be impressed, shall have the like remedy and allowance, as by any former law relating to stamped vellum, parchment, or paper, is in like cases directed.

XXIV. And be it further enacted by the authority aforesaid, If any person, That if any person or persons shall, from and after the said fifth after July 5, day of July, one thousand seven hundred and seventy-seven, sign, 1777, shall sign or feal, etc. feal, execute or subscribe, any policy of insurance, or other deed, any policy of instrument or writing, whereby houses and goods shall be any-insurance ways infured from loss by fire, to the amount or value as afore- from fire, to said, before the vellum, parchment, or paper, whereupon the the aforesaid fame shall be ingrossed, written, or printed, shall appear to have amount, with-

been stamped, he

422

shall forfeit 101.

and thall pay (belides the duties hereby payable) 51. before any fuch policy shall be available in law, etc.

Perfons counterfeiting any feal or stamp, to refemble any feal, etc. used to denote the stampduties, with an intent to defraud his Majesty, shall fuffer death as felons.

All provisions, penalties and terfeitures, etc. in former acts relating to the stanipduties, shall be in force, and be applied in executing this act.

Anno decimo septimo GEORGII III. C. 50. [1777.

been stamped and marked as by this and the other acts of parliament in that behalf is directed; that then every such person so offending shall, for every such offence, forfeit and pay the sum of ten pounds; one moiety thereof to his Majesty, his heirs and fuccesfors, and the other moiety thereof, with full costs of suit, to fuch person or persons as shall inform and sue for the same in any of his Majesty's courts of record: and that if any such policy to his Majetty of insurance shall be so signed, sealed, executed, or subscribed, upon vellum, parchment, or paper, not appearing to have been duly stamped or marked according to law, that then, and in every fuch case, there shall be paid to his Majesty, his heirs and successors, (over and above the duties hereby payable) for every fuch policy of insurance, the sum of five pounds; and that no fuch policy of insurance shall be available in law or equity, or be given in evidence, or admitted in any court, unless as well the faid duty hereby charged, as the faid sum of five pounds, shall be first paid to the use of his Majesty, his heirs and successors, and a receipt produced for the same, under the hand of the receiver-general for the time being of the stamp-duties, or his deputy, and until the vellum, parchment, or paper, on which such policy of insurance is so signed, sealed, executed, or subscribed, shall be marked or stamped according to the true meaning thereof; and the faid receiver-general and his deputy are hereby enjoined and required, upon payment or tender of the said duty payable by virtue hereof, and of the faid sum of five pounds, to give a receipt for such money; and the other proper officers are thereupon required to mark or stamp such policy of insurance with the proper mark or stamp requisite in that behalf.

XXV. And be it further enacted by the authority aforesaid, That if any person shall counterfeit or forge, or procure to be counterfeited or forged, any seal, stamp, or mark, to resemble any seal, stamp, or mark, directed or allowed to be used by this directed to be or any other act of parliament, for the purpose of denoting the duties by this or any other act of parliament granted, or shall counterfeit or resemble the impression of the same, with an intent to defraud his Majesty, his heirs and successors, of any of the faid duties; or shall privately or fraudulently use any seal, stamp, or mark, directed or allowed to be used by this or any other act of parliament, relating to the stamp-duties, with intent to defraud his Majesty, his heirs and successors, of any of the said duties; every person so offending, and being thereof lawfully convicted, shall be adjudged a felon, and shall suffer death, as in

cases of felony, without benefit of clergy.

XXVI. And be it further enacted by the authority aforesaid, That all powers, provisions, articles, clauses, distribution of penalties and forfeitures, and all other matters and things, prescribed or appointed by any former act or acts of parliament, relating to the stamp-duties on vellum, parchment, and paper, shall be of full force and effect with relation to the several duties hereby imposed, and shall be applied and put in execution for the raifing, levying, collecting, and fecuring the faid additional and



1777.] Anno decimo septimo Georgii III. C.51,52.

new duties hereby imposed, according to the true intent and meaning of this act, as fully, to all intents and purposes, as if the fame had feverally and respectively been hereby enacted, with relation to the faid additional and new duties hereby imposed.

XXVII. And be it further enacted by the authority aforesaid, Moniesarising hat all the monies arising by the said several and refusaling by the said That all the monies arising by the said several and respective duties to be rates and duties (the necessary charges of raising and accounting paid into the for the same excepted), shall, from time to time, be paid into exchequer the receipt of his Majesty's exchequer at Westminster, distinctly distinctly from. and apart from all other branches of the publick revenue, and branches of shall, for the purpose aforesaid, be carried to, and made a part the publick

of, the fund commonly called The Sinking Fund.

XXVIII. And be it further enacted by the authority aforesaid, Desendants That if any person or persons shall, at any time or times, be under this act fued, molested, or prosecuted, for any thing by him or them may plead the done or executed in pursuance of this act, or of any clause, matter, or thing, herein contained; fuch person or persons shall and may plead the general iffue, and give the special matter in evi- and recover dence, for his or their defence: and if, upon the trial, a verdict treble cofts. shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, then such defendant or defendants shall have treble costs awarded to him or them, against such plaintiff or plaintiffs.

### CAP. LI.

An act for enabling his Majetty to raise the sum of one million for the ules and purpoles therein mentioned.

### CAP. LII.

An all for better securing the duties on sope, and the duties on rum of the sugar plantations put into warehouses; and for allowing a drawback of the duties on rum shipped as stores, to be consumed on board merchant ships on their voyages, for a limited time.

WHEREAS, notwithstanding the many laws already made Preamble. for securing the revenues on sope, and for protecting the fair trader, many gross frauds are daily practifed by evil-minded and indigent persons, who are encouraged in such practices, not only from the great length of time allowed by those laws for the payment of the duties on sope, but also for want of some further regulations in the manner of the carrying on the sope-making business; for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twenty-fourth After June 24, day of June, one thousand seven hundred and seventy-seven, no fon, residing person or persons whatsoever, residing within the limits of the within the lihead office of excise in London, shall be permitted to make any mits of the lope, unless such person or persons shall occupy a tenement or head office of enements of the yearly value of ten pounds, or upwards, and for excise in Lonwhich he, the, or they thall accordingly be affested in their own any sope, un-Gg name, lefs he occupy VOL. XXXI.

tol. per an. and pay parish rates; nor in any other part of the kingdom, unless he pay to church and poor, etc.

a tenement of name, and shall also pay to the parish rates; and that no person or persons whatever, residing in any other part of the kingdom where there are rates to church and poor, shall be permitted to make any sope, unless such person or persons shall be affested and pay to church and poor, in the feveral parishes and places in which they shall respectively reside; and that no entry of any sope-house, work-house, or place for making of sope, already made, or hereafter to be made, as required by the statutes in that case made and provided, shall be of any avail to any person or persons not so qualified, or for any longer time than the person or persons so making entry shall be qualified as aforesaid; and every person making sope and not qualified as aforesaid, shall, notwithstanding any entry by him or them made, be deemed and taken to be persons making sope without entry, and shall be subject to the like penalties and forfeitures as persons making sope without entry are by the statutes in such case made and provided are subject unto.

Recital of an act of 10 Annæ.

II. And whereas, by a clause in an act, passed in the tenth year of the reign of her late majesty Queen Anne, (intituled, An act for laying several duties upon all sope and paper made in Great Britain, or imported into the same; and upon chequered and striped linens imported; and upon certain filks, callicoes, linens, and stuffs printed, painted, or stained; and upon several kinds of stampt vellum, parchment, and paper; and upon certain printed papers, pamphlets, and advertisements; for raising the sum of eighteen hundred thousand pounds, by way of a lottery, towards her Majesty's supply; and for licensing an additional number of hackney chairs; and for charging certain stocks of cards and dice; and for better securing her Majesty's duties to arise in the office for the stamp-duties by licences for marriages and otherwife; and for relief of persons who have not claimed their lottery tickets in due time, or have lost exchequer bills, or lottery tickets; and for borrowing money upon stock, (part of the capital of the South Sea company) for the use of the publick: it was enacted, That every person what soever, who should make any sope in London or Westminster, or in any parts within the weekly bills of mortality, should, monthly and every month; and all and every perfon or persons what soever, who should make any sope in any other part of Great Britain, should, once in every six weeks, make a true entry, in writing, at the next office for the said duties, of all the sope by him, her, or them severally made, within such month or six weeks respectively; which entries were to be made in manner as therein expressed: and by one other clause in the said recited att, it was further enatted, That all and every person, who should make any sope in London or Westminster, or within the limits of the faid weekly bills of mortality, should, within four weeks; and all and every person what soever, who Should make any Sope in any other part of Great Britain, Stould, within fix weeks after he, the, or they should have made, or ought to have made, such entry as aforesaid, pay and clear off all the said duties upon Sope, which should be due from him, her, or them respectively; and that all and every fuch makers of fope, who should refuse or neglect to make



### Anno decimo septimo Georgii III. C. 52. 1777-]

make such payment as aforesaid, should forfeit and lose, for every such offence, double the sum of the said duty: and whereas the alievance of Jo long a time for the making of the entries, and for the payment of the duties as aforefaid, bath been found prejudicial to the revenue, and also to the fair trader, as evil-minded and indigent persons have been encouraged thereby to make sope, and have made entry of the sope by them made, but have neglitted to pay the duty when due, and before the time that the duty could be recovered have absconded from their respective dwelling-places, or by other methods have evaded the payment of the same; be it therefore further enacted, That, from and After June 24, after the twenty-fourth day of June, one thousand seven hun- 1777, the dred and seventy-seven, the above recited clauses, and every arti- clauses strall be cle, matter, and thing therein contained, shall be, and are here- repealed.

by repealed, and made null and void.

III. And be it further enacted by the authority aforesaid, That, All persons from and after the said twenty-fourth day of June, one thousand who shall feven hundred and seventy-seven, all and every person whatso- make any ever, who shall make any sope, shall, weekly and every week, day abovesaid, make a true entry in writing at the next office for the duties on shall enter the fope, of all the fope by him, her, or them feverally made within same weekly each week; which said entries shall contain the weight of all the at the next sope mentioned therein respectively, and what quantity thereof on penalty of was made at each boiling in that week, on pain to forfeit for 501. every neglect the fum of fifty pounds: which entries shall be Entries to made upon oath by the maker of fuch fope, or by their chief be made on workman or fervant employed in making the same, according to the best of their knowledge and belief; unless such maker, workman, or fervant, be a known quaker, and the folemn affirmation of fuch maker, workman, or fervant, to the same effect, in case he or the be a known quaker, thall and may be taken inftead of fuch oath; and the faid entries, oaths, and affirmations to verify the same, shall, for such sope as shall be made within the limits of the chief office of excise, be made with, and administered by, fuch officer or officers as shall be appointed by the commissioners for the duties on sope in England, or the major part of them, for the time being; and for all sope made in all other parts of Great Britain, with and by the collectors and supervisors of the district or division within which the respective makers of sope shall inhabit, without any fee or charge whatfoever to be taken or demanded for the fame.

IV. And be it further enacted by the authority aforesaid, That Makers of all and every person and persons whatsoever, who shall make any sope to pay the sope in Great Britain, shall, within one week after he, she, or a week after they shall make, or ought to have made, such entry as aforesaid, entry. pay and clear off all the duties for sope which shall be due from him, her, or them respectively; and that all and every such maker of fope, who shall refuse or neglect to make such payment as aforefaid, shall forfeit and lo'e, for every such offence, double the sum of the said duty whereof the payment thall be so refused or neglected; and that no such makers of sope, after such de- Penalty. fault in payment made, shall sell, deliver, or carry out any sope,

Gg 2

426

Anno decimo septimo Georgii III. c. 52.

until he hath paid and cleared off his duty as aforefaid, on pain to forfeit double the value of fuch sope so delivered or carried out.

Proviso.

V. Provided always, That no maker of sope shall be obliged to go or fend further than the market town where his or her fope is made, or the next market town to the place where his or her sope is made, for the making of such entries, or the payment of the faid duties.

The furnacedoor of every copper, etc. ing of lope, ed by the officer as foon as the fire is dampt, etc.

VI. And, for the better preventing the frauds frequently committed by divers makers of hard sope, who light fires under their coppers, pans, or other utenfils by them respectively used for the boiling or making of lope, in the assence of, and without the knowledge or privity of the officers for the duties on sope; be it enacted, That, from and after the twenty-fourth day of June, one thousand seven hundred used for mak- and seventy-seven, the furnace door of every copper, pan, or other utenfil used by any such maker of sope for the boiling or that betatten- or making of sope, shall, and they are hereby required to be securely locked and fastened by the officers of excise who survey fuch trader, as foon as the fire is dampt or drawn from under every fuch copper, pan, or other utenfil; and proper locks and keys, and all other necessary fastenings for securing the said coppers, pans, and other utenfils, shall be provided by the respective furveyors and supervisors of excise of the several districts or divisions in which such makers of sope shall respectively reside, at the expence of the respective makers in each division or district: and whenever fuch maker of fope shall be defirous to light a fire under fuch copper, pan, or utenfil, or to have the furnace-doors thereof opened, and shall have given notice in manner as is herein-after directed; then, and in every fuch case, the officers of excite shall attend to open the same.

VII. And be it further enacted by the authority aforesaid, That if any such maker of sope shall refuse or neglect to pay for fuch locks, keys, and other fastenings, so provided as aforesaid; or if any such maker of sope shall refuse or hinder the officers of excise from fixing such fastenings on the said furnace-doors, in dering officers fuch manner as the faid officers thall judge most effectual for fecuring the same, or in locking and securing the same; then, and in every such case, the offender or offenders therein shall, for

each offence, forfeit and lose the sum of fitty pounds.

VIII. And be it further enacted by the authority aforesaid, That whenever any such maker of sope shall be desirous to have the furnace-door of his, her, or their copper, pan, or other unlocked, that utenfil by him, her, or them used for the boiling or making of give 12 hours fope, unlocked, and shall have given to the officer of excise of the notice to the division or district twelve hours notice, if such maker of sope shall reside within the limits of the chief office of excise in London; or if such maker of sope shall reside in any other part of chief office in Great Britain, twenty-four hours notice of such his, her, or their intention, the officer of excise shall attend accordingly to unlock and if without and open the faid furnace-doors of fuch copper, pan, or utenfil; mits, 24 hours and if by any means, art, device, or contrivance whatfoever, any perion

Sope-makers refuling to pay for locks, keys, and o her faltenings, or hinfrom fixing the fame, to forfeit 50 l.

Sope-makers who want to have their turnace-door officer, if within the limits of the London; the laid linotice.



### 1777.] Anno decimo septimo Georgii III. c. 52.

person shall open any such furnace-door after the same shall have been locked and secured as aforesaid, before the same shall have been unlocked and opened by the officer of excise, or shall wilfully damage or hurt any fuch lock or other fastening, every fuch person shall, for every such offence respectively, forfeit and lose

the fum of one hundred pounds.

IX. And be it further enacted by the authority aforesaid, That, Surveyor, suwhen any copper, pan, or other utenfil, used for the boiling or pervitor, etc. making of sope, or the furnace-doors of such copper, pan, or uten- 5 in the mornfil shall be secured, as by this present act, and by one other act, ing and it in passed in the fifth year of his present Majesty, are respectively the evening, directed, the surveyor and supervisor, or other superior officer of enter any specife shall at all simes between the bases of superior officer of superior officer of superior officer any specific shall state of superior of superior officer of superior of sup excise, shall, at all times, between the hours of five in the morn-workhouse, ing and eleven in the evening, be permitted, upon demand or and unlock request made, to enter all and every workhouse of every such and examine maker of fope; and after fuch entry to unlock and open every the coppers, copper, pan, and other utenfil, by fuch maker of fope used for boiling or making of sope, and also the furnace-doors of every fuch copper, pan, or other utenfil, and to examine the fame; and after due examination had, fuch officer shall again lock and fasten every such copper, pan, or other utensil, and furnace-door, and so leave them locked and secured, as by this and the said former act is directed: and if, after such request made, the doors Any sopeof fuch workhouse are not immediately opened, and such officer maker refusor officers are not immediately admitted, and permitted to enter ing such ofand go into fuch workhouse, made use of by such maker of sope; or obstructing or if such officer or officers, being so entered into such work- his examinahouse, are not permitted quietly to continue in such workhouse, tion, shall for-and to unlock and open every such copper, pan, or other utensil, feit sool. and furnace-doors, to fearch and examine the same, and until they shall have again locked and secured the said copper, pan, or other utenfil, and furnace-door; or if, by any other ways or means whatfoever, fuch officer or officers shall be obstructed, hindered, or molested, in such search and examination; then, and in every such case, the offender therein shall forfeit and lose the fum of one hundred pounds.

X. And for asmuch as it is found by experience that his Majesty is very much defrauded of the duty on sope by many makers of sope, who, by private pipes, and other private conveyances made use of by such makers of sope, do convey away the sope from the sight and view of the officer appointed to take an account of the same; be it further enacted by the authority aforesaid, That, from and after the said twenty- Any sopefourth day of June, one thousand seven hundred and seventy-maker having feven, no maker of sope shall have or keep any pipe under ground, a private pipe or any other private pipe or other private conveyance, in or about fope from his his sopehouse, by which any sope, or materials making into sope, copper, etc. may be conveyed from his copper, pan, or other untenfil, used for the boiling or making of sope, into any place whatsoever, on pain to forfeit, for every such pipe and private conveyance, shall forfeit

the fum of two hundred pounds.

XI. And, for the better discovering all such pipes and other private Gg3

Anno decimo septimo Georgii III. C. 52. [1777.

Officers may, in the daytime, in presence of a con-Itable, break in any tope house, etc to fearch for p. ivate conveyances, and deitroy the lame.

If no fuch conveyance thall be found, officers to make fatisfaction for damages. Penalty on obitiucting oflearch.

Sope-makers etc. above ground.

Sope makers, every lunar month, thall cleanle all their coppers, etc. uled in making of lope, after giving 3 days notice to the officer. Officer to examine the fame;

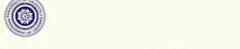
any hoje not the owner mall be liable

conveyances, be it further enacted, That, from and after the said twenty fourth day of June, one thousand seven hundred and seventy-seven, it shall and may be lawful to and for the officers of the duties on sope, or any of them, in the day-time, and in the up the ground prefence of a constable, or other lawful officer of the peace (who are hereby required to be aiding and affifting therein) on request first made, and cause declared, to break up the ground in any sopehouse, or the ground near adjoining, or any wall, partition, or other place, to fearch for any such pipe or other private conveyance; and, upon finding such pipe or other conveyance, to break up the ground, house, wall, or other partition or place, through or into which any fuch pipe or other conveyance shall lead, and to break up or cut any fuch pipe or other conveyance.

XII. Provided always, That in case upon such search no such pipe or other private conveyance shall be found, such officers for duties on sope shall make good the ground, wall, house, or other place so broken up as aforesaid, or make reasonable satisfaction to the owner or owners thereof, to be adjudged by two of the next justices of the peace, or the party injured shall be at liberty to bring his action for the damages by him sustained: and if any ficers in their person or persons whatsoever shall oppose, obstruct, or hinder, any such officer in searching, in execution of the powers hereby given and granted, every fuch person shall forfeit and lose, for every such offence, the sum of one hundred pounds.

XIII. Provided nevertheless, and it is hereby declared, That may use pipes, it shall and may be lawful to and for any maker of sope to keep and make use of any pipe, or other conveyance, above ground, which are publick and in open view from one end thereof to the other, for the putting his sope out of the copper, pan, or utenfil, used for boiling or making the same, into the known and entered frames; any thing in this act to the contrary in any wife notwithstanding.

XIV. And, for the better discovering all private holes in the coppers, pans, or other utenfils used in the boiling or making of sope, be it further enacted, That, from and after the said twenty-fourth day of June, one thousand seven hundred and seventy-seven, all and every person who thall make sope, shall, once in every lunar month throughout the year, perfectly cleanse each and every copper, pan, or other utenfil, by him used for the boiling or making of lope, and shall give three days notice at least to the officer who surveys such maker of sope, of the particular time when he intends to cleanse the same: and when such copper, pan, or other utenfil ihall be so perfectly cleansed, it shall be lawful for the officers of the duties on sope, and they are hereby required to fearch all and every part of fuch copper, pan, or other utenfil, by going into fuch copper, pan, or other utenfil, or by fuch other means as to fuch officers shall feem most conand if he find venient; and if, on fearthing fuch copper, pan, or other utenfil. the officer shall find or discover any hole, not before known or before known, discovered, in such copper, pan, or other utensil, such hole thall be, and is hereby deemed to be, wilfully made for the purpose of



### 1777.] Anno decimo septimo Georgii III. c. 52.

conveying away sope from the fight and view of the officer, be- to the penalfore an account had been taken of the lame; and the owner of ties for confuch copper, pan, or other utenfil, in which fuch hole shall be sope; discovered and found, shall be liable to the penalties for concealing of sope, unless he, she, or they shall prove the same to except, etc. have been made by bursting, or other accident, since the officer's last survey, and that he, she, or they had given notice thereof to the officer of the said duties on sope, who first came thither on furvey after such bursting or other accident happened: and if any If any sopefuch maker of sope shall, after the said twenty-fourth day of June, maker shall one thousand seven hundred and seventy-seven, neglect perfectly neglect to the cleanse his copper, pan or other utenful so used for the maker shall be used for the maker shal to cleanse his copper, pan, or other utensil, so used for the mak- copper, etc. ing or boiling of fore, in manner, and at the time herein-before or to give nodirected, or to give such notice as aforesaid, or shall, by himself tice as aforeor others, let, hinder, or obstruct the officer or officers of excise said, or shall from searching and examining such copper, pan, or other uten-officer in fil, by fuch means as to fuch officer shall feem most convenient, fearthing the then, and in every such case, such maker of sope shall forfeit and same,

lose the sum of fifty pounds.

XV. And whereas, by an all made in the fifteenth year of the reign of his late majesty King George the Second, (intituled, An act to Recital of an impower the importers or proprietors of rum or spirits of the act of 15 British sugar plantations to land the same before payment of the duties of excise charged thereon, and to lodge the same in warehouses at their own expence; and for the relief of Ralph Barrow, in respect to the duty on some rock falt, lost by the overflowing of the rivers Weaver and Dane,) it was enacted, That all fuch rum or spirits, of the growth, produce, or manufacture of the British Sugar plantations as should be imported into this kingdom directly from the said Sugar plantations, upon the entry thereof, might forthwith, and before payment of the duties of excise, be landed, and carried and put into warehouses for that purpose provided, upon the proprietor or importer giving bond as therein required and directed: and it was further enacted, That the proprietor or importer of such rum or spirits, so to be lodged in such warehouses, should affix one lock to every such warebouse, and the key of such lock to remain in the custody of such proprietor or importer; and for the officer of excise, attending such warehouse, to provide one other lock for Juch warehouse, and to keep the key thereof; and that the proprietor or importer should and might, in presence of the said officer, view, examine, and take out the rum and spirits, in manner as therein is directed: and whereas no particular penalty is imposed on such proprietor or importer of such rum and spirits, put into fuch warehouses, who shall fraudulently open the door of such warehouse or warehouses in the absence of the said officer of excise or warehouse-keeper, whereby some evil-minded persons have actually been encouraged by false keys, to open the said warehouses in the night-time, and in the absence of the officer of excise, to go into such warehouses; for the more effectual preventing such fraudulent practices, be it en- If any proprieacted, That if any proprietor or importer of rum or spirits, lodged tor or import-

acted, I hat it any proprietor of timportonies under the direction er of rum, etc. and authority of the said recited act, shall, by any means, act, warenouse

he shall forfeit

devise, under the di-

Gg4

## Anno decimo septimo Georgii III. C. 52. [1777.

above-recited act, thall open the fame, except in the he thall forfeit 500 l.

For a years after the palfing of this -act, the fame drawbacks shall be allowrum, etc. to be fpent on board in any voyage be as are given by any acts now in force on the exportation of rum as merchandize.

any fuch rum 100 gallons; or on board any veffel un.

der 100 tons.

rection of the devile, or contrivance whatever, open any such warehouse or warehouses, except in the presence of the proper warehousekeeper, or other officer of excise, whose business it is to attend with the key to open the same, then, and in every such case, every pretence of the fuch importer or proprietor shall forfeit and lose, for every such proper officer, offence, five hundred pounds.

XVI. For encouraging the exportation of rum and spirits, of the growth, produce, and manufacture of the British sugar plantations in America, from this kingdom, as stores to be spent and consumed on board in any voyage to parts beyond the feas, be it enacted by the authority aforefaid, That during the term of two years, from and after the passing of this present act, the same drawbacks and allowances, which are given by any former act or acts of parliament, now in force, on the exportation of fuch rum to parts beyond the seas as merchandize, shall be allowed and paid to the ed on hipping merchant or merchants, on his, her, or their shipping any such rum as stores, to be spent and consumed on board in any voyage to parts beyond the feas: and when any merchant or merchants shall be desirous of shipping any such rum as stores as aforesaid. youd the seas, and shall give five days notice thereof to the respective commissioners of excise for the time being, or to such other person or persons as they shall from time to time appoint for that purpose, mentioning in such notice the exact destination of the intended voyage, the tonnage of the ship or vessel, and the number of the mariners intended to be employed in navigating the same, it shall and may be lawful to and for the faid commissioners of excise, or the person or persons so to be appointed by them as aforesaid, to ascertain the quantity of such rum which shall be shipped on board such ship or vessel as stores, and for which such drawback and allowances shall be paid and made, and also the size and marks of the cask or casks in which such spirits shall be so shipped; and on oath being made, before any one or more of the faid commissioners of excise, or justices of the peace for the county or place from whence any fuch rum is intended to be exported, or before such other person or persons as shall be authorized as aforesaid by the said commissioners of excise for that purpose, that the same are to be shipped as stores to be spent and confumed in the voyage, the merchant or merchants thipping the same shall be paid the same drawbacks, and have the same allowances for rum fo shipped, as if such rum had been export-No allowance ed as merchandize; provided always, That neither the said drawback or allowance, or any other drawback or allowance, thipped in any shall be made or be paid for any quantity of such rum which enk less than shall be exported or shipped for stores as aforesaid in any cask which shall contain less than one hundred gallons, nor shall any fuch drawback or allowance whatfoever be made or paid for any quantity of rum which shall be so exported or shipped for stores as aforesaid on board of any vessel or vessels of less burden than one hundred tons; but that all fuch rum shall be exported and shipped, in all respects not otherwise directed by this present act, under the same rules, regulations, and penalties, as are prescribed



### 1777.] Anno decimo septimo Georgii III. c. 53.

by any former act or acts of parliament now in force relating to the exportation of spirits drawn or made in Great Britain as stores, to be spent and consumed on board in any voyage to parts be-

yond the feas.

XVII. And be it further enacted by the authority aforesaid, Penalties and That all fines, penalties, and forfeitures, imposed by this forfeitures ways, means, and methods, as any fine, penalty, or forfeiture, applied. is or may be fued for, recovered, or mitigated, by any law or laws of excise; or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, or in the court of exchequer in Scotland respectively; and that one moiety of every fuch fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall discover, inform, or sue for the same.

XVIII. And be it further enacted by the authority aforesaid, Persons pro-That if any person or persons shall at any time be sued, molest- secution of ed, or prosecuted, for any thing by him or them done in pursu- this act, may ance or by colour of this act, or of any matter or thing in this plead the geact contained; such person and persons shall and may plead the neral iffue,

general iffue, and give this act, and the special matter in evidence, in his or their defence or defences: and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action or profecution, or judgement shall be given against him,

her, or them, upon demurrer, or otherwife, then fuch defendant and recover or defendants shall have treble costs awarded to him or them treble costs.

against such plaintiff or plaintiffs.

# C A P. LIII. Gilbert's Het

An act to promote the residence of the parochial clergy, by making provision for the more speedy and effectual building, rebuilding, repairing, or purchasing houses, and other necessary buildings and tenements, for the use of their beneficies.

WHEREAS many of the parochial clergy, for want of proper Preamble. habitations, are induced to reside at a distance from their beneficies, by which means the parishioners lose the advantage of their in-Aruction and hospitality, which were great objects in the original di-Aribution of tythes and glebes for the endowment of churches: for remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twenty-fourth Incumbent of day of June, one thousand seven hundred and seventy-seven, any ecclesiastiwhenever the parson, vicar, or other incumbent, of any eccle-cal living, whereon there staffical living, parochial benefice, chapelry, or perpetual curacy, is no house, being under the jurisdiction of the bishop or other ecclesiastical etc. ordinary, whereon there is no house of habitation, or such house

Anno decimo septimo Georgii III. C.53.

432.

(with the

patron)

ordinary and

may borrow money to

build one,

the glebe, tythes, etc.

for 25 years.

is become so ruinous and decayed, or is so mean, that one year's neat income and produce of fuch living will not be sufficient to build, rebuild, or put the same, with the necessary offices belonging thereto, in sufficient repair, shall think fit to apply for the aid and assistance intended to be given by this act, it shall and may be lawful for every such parson, vicar, or incumbent (after having procured, from some skilful and experienced workman or furveyor, a certificate, containing a state of the condition of the buildings on their respective glebes, and of the value of the timber and other materials thereupon, fit to be employed in such buildings or repairs, or to be fold, and also a plan and estimate of the work proposed to be done (such state and estimate to be verified upon oath, taken before some justice of the peace, or master in chancery, ordinary or extraordinary) and laid the same, together with a just and particular account in writing, signed by him, and verified upon oath, taken as aforesaid, of the annual profits of such living, before the ordinary and patron of the livconfent of the ing, and obtained their consent to such proposed new buildings or repairs, by writing under their respective hands, in the form for that purpose contained in the schedule hereunto annexed) to borrow and take up at interest, in the manner hereafter mentioned, such sum or sums of money as the said estimate shall amount unto, after deducting the value of timber or other materials which may be thought proper to be fold, not exceeding two years neat income and produce of fuch living, after deducting all rents, stipends, taxes, and other outgoings, excepting only the salaries to the assistant curate, where such a curate is necessaand mortgage ry; and as a security for the money so to be borrowed, to mortgage the glebe, tythes, rents, and other profits and emoluments, ariting or to arite from fuch living, to fuch perfon or perfons who shall advance the same, by one or more deed or deeds, for the term of twenty-five years, or until the money so to be borrowed, with interest for the same, and such costs and charges as may attend the recovery thereof, shall be fully paid and satisfied, according to the terms, conditions, true intent and meaning of this act; which mortgage deed or deeds shall be made in the forms or to the effect for that purpose contained in the said schedule, and shall bind every succeeding parson, vicar, or incumbent, of fuch living, until the principal and interest, costs and charges, shall be paid off and discharged, as fully and effectually

Every mortgagee to execute a coungerpart of the mortgage, to incumbent, ¢IC.

as if fuch successor had executed the same. II. And be it further enacted, That every such mortgagee shall execute a counterpart of every fuch mortgage, to be kept by the incumbent for the time being; and a copy of every such deed of mortgage shall be registered in the office of the registrar of the be kept by the bishop of the diocese where the parish lies, or other ordinary having episcopal jurisdiction therein for the time being, after having been first examined by him with the original; which officer shall register the same, and be entitled to demand and receive the sum of five shillings, and no more, for such register; and every such deed shall be referred to upon all necessary occafions,



### Anno decimo septimo Georgii III. c.53. 1777.]

sions, the person inspecting the same paying one shilling for every such search; and the said deed, or a copy thereof, certified under the hand of the registrar, shall be allowed as legal evidence, in case any such mortgage deed shall happen to be lost or

destroyed.

III. Provided always, and be it further enacted, That when- On failure of ever the principal and interest, directed to be paid to the mort- principal and gagee under the several provisions of this act, shall be in arrear interest for 40 and unpaid, for the space of forty days after the same shall be-days atterdue, come due, it shall and may be lawful for such mortgagee, his mortgagee executors, administrators, or assigns, to recover the same, and the may distrain. costs and charges attending the recovery thereof, by distress and fale, in such manner as rents may be recovered by landlords or lessors from their tenants by the laws in being.

IV. And be it further enacted, That the money so to be bor- Money borrowed shall be paid into the hands of such person or persons as rowed to be shall be nominated and appointed to receive and apply the same paid to such for the purposes aforesaid, by the ordinary, patron, and incum- ordinary, etc. bent, by writing under their respective hands, in the form for shall appoints that purpose contained in the said schedule, after such nominee shall have given a bond to the ordinary, with sufficient surety, in double the sum so to be borrowed or raised, with condition for his duly applying and accounting for the same according to the directions of this act; and the receipt of the person or persons so to be nominated shall be a sufficient discharge to the person or persons who shall advance and pay the money: and the person who shall or persons, so to be nominated, shall enter into contracts with contract for the buildings, proper persons for such buildings or repairs as shall be approved etc. and see by the ordinary, patron, and incumbent, and shall be specified in the same exean instrument written upon parchment, and signed by them, in cuted. and the form for that purpose contained in the said schedule; and pay for them, thall inspect and have the care of the execution of such contracts, and shall pay the money for such buildings and repairs, according to the terms of fuch agreements, and shall take proper receipts and vouchers for the same; and as soon as such buildings or repairs shall be completed, and the money paid, shall make out an account of his receipts and payments, together with the vouchers for the same, and enter them in a book, fairly written, which shall be signed by him, and laid before the ordinary, patron, and incumbent, and examined by them; and when allowed, by writing under their respective hands, in the form for that purpose contained in the faid schedule, such allowance shall be a full discharge to the person so nominated, in respect to the said accounts; and if any balance shall remain in the hands of such nominee or How the banominees, the same shall be laid out in some further lasting im-lance rem provements in building upon such glebe, or shall be paid and ap- ing shall be plied in discharge of so much of the said principal debt as disposed of. fuch balance will extend to pay, at the discretion of the said ordinary, patron, and incumbent, or two of them, of which the said ordinary to be one, by order signed by them, in the form for that purpose contained in the said schedule; and an account

434

Anno decimo septimo Georgii III. c. 53. [1777.

shall also be kept, made out, and allowed, of such further disbursements, in manner aforesaid: all which accounts, when made out, completed, and allowed, shall be deposited, with the vouchers, in the hands of the faid registrar, and kept by him for the use and benefit of the incumbents of such living for the time being, who shall have a right to inspect the same whenever occasion shall require, paying to such registrar, or deputy registrar,

the fum of one shilling for every such inspection.

Ordinary to cause enquiry to be made of the condition of the buildtered on the living, etc.

V. Provided always, and be it further enacted, That every fuch fuch ordinary, before he or they shall fignify his or their consent, in manner aforesaid, shall cause an enquiry to be made, and certified to him or them by the archdeacon, chancellor of the ings when the diocele, or other proper persons living in or near the parish where incumbent en- fuch buildings are proposed to be made or repaired, in the forms for that purpose specified in the said schedule, of the state and condition of fuch buildings at the time the incumbent entered upon such living or benefice, how long such incumbent had enjoyed such living or benefice, what money he had received, or may be entitled to receive, for dilapidations, and how and in what manner he had laid out what he had so received; and if it shall appear to them that such incumbent had, by wilful negligence, suffered such buildings to go out of repair, then to certify the same to the said ordinary, and also the amount of the damage which fuch buildings had fustained by the wilful neglect of such incumbent; and such incumbent, if the ordinary require it, shall pay the same into the hands of the nominee or nominees to be appointed under the authority of this act, towards defraying the expences of building or repairs, before the ordinary shall give his consent as aforesaid.

Directions for payment of the principal and interest of the mortgages.

Every incumnot relide 20 weeks in each year upon his living, thall pay 10l. per cent. of the principal, etc. ing only 51. per cent. per ann. of the tificate of his refidence, under the hands of two rectors, etc.

VI. And be it further enacted, That the incumbent of every fuch living or benefice, in cases where such mortgage or mortgages shall be made as aforesaid, and his successors for the time being, shall, and he and they is and are hereby required to pay the interest arising upon every such mortgage, yearly, as the same shall become due, or within one month after, and also five pounds per centum per annum, of the principal remaining due, by yearly paybent who shall ments; and that every such incumbent who shall not reside twenty weeks in each year upon fuch living, computing fuch year from the date of the said mortgage deed, shall, instead of the said sum of five pounds per centum per annum, pay the sum of ten pounds per centum per annum, of the principal remaining due, by yearly payments, such payments to be respectively made at the same time such interest shall be paid, until the whole principal cumbent pay- money and interest shall be fully paid and discharged; and that every such incumbent who shall pay only five pounds per centum per annum of such principal money, shall, at the time he pays the same, produce and deliver to the mortgagee a certificate under produce a cer- the hands of two rectors, vicars, or officiating ministers, of some parishes near adjoining, signifying that he had resided twenty weeks upon the faid living or benefice, within the year for which fuch payment became due according to the regulations aforesaid; which



### 1777.] Anno decimo septimo Georgii III. c. 53.

which certificate shall be in the form, or to the effect, contained and, as soon in the said schedule; and that every such incumbent shall, annu- as the buildally at his own expence, from the time such buildings, authorised pleted, to into be made by this act, shall be completed, insure, at one of the sure them publick offices established in London or Westminster for insurance against fire. of houses and buildings, the house and other buildings upon such glebe, against accidents by fire, at such sum of money as shall be agreed upon by the ordinary, patron, and incumbent; and in default of the payment of either the principal or interest, in manner aforesaid, or neglect of the incumbent to make such insurance, the ordinary shall have power to sequester the profits of the living till such payment or insurance shall be made.

VII. And, in order that the payment of such year may be justly and equitably afcirtained and adjusted, between the successor, and the par-Son, vicar, or incumbent, avoiding such living or benefice by death or otherwise, or his representatives, in case of death or other avoidance, in fue proportions as the profits of fuch living shall have been received

by them respectively, for the year in which such death or avoidance Shall happen; be it further enacted, That in case any difference Clause for shall arise in adjusting or settling the proportions aforesaid, the proportioning same shall be determined by two indifferent persons, the one to payment, in be named by the faid successor, and the other by the person mak- case of death, ing such avoidance, or his representatives, in case of his death; or other and in case such nominees shall not be appointed within the space avoidance. of two calendar months next after such death or avoidance, or if they cannot agree in adjusting such proportions within the space of one calendar month after they shall have been appointed, the same shall be determined by some neighbouring clergyman, to be nominated by the ordinary, whose determination shall be final and conclusive between the parties; which nominations and de-

terminations shall be made according to the forms for that purpose contained in the said schedule, as near as conveniently may be.

VIII. And be it further enacted, That where there shall be no The ordinary house of habitation upon any ecclesiastical living or benefice, so of any living described as aforesaid, exceeding in clear yearly value one hunper ann. which dred pounds per annum, or being one, the same shall be so mean, has no proper or in such a state of decay as aforesaid, and the incumbent shall not house or habireside in the parish twenty weeks within any year, computing the tation, may same from the first day of January, it shall be lawful for the or- bent neglect dinary of such living or benefice, with the consent of the patron to make ap-(in case the incumbent shall not think fit to lay out one year's plication, etc.) income, where the same may be sufficient, to put the house and procure an buildings in proper and sufficient repair, or to make such applica- and proceed tion as aforefaid, for building, repairing, or rebuilding fuch par- in the execusonage house) to procure sich plan, estimate, and certificate, as tion of this herein directed, and at any time, within the course of the succeed- act. in such ing year, to proceed in the execution of the several purposes of this manner as the act, in such manner as the parson, vicar, or incumbent, is hereby rected to proauthorised and directed to proceed, and to make and execute such ceed.



Anno decimo septimo Georgii III. c. 53. [1777.

mortgage as aforesaid; which shall be binding upon the incumbent and his successors, and he and they shall be, and are hereby made liable to the payment of the interest, principal, and costs; and every such incumbent, and his representatives, shall be, and are hereby also made respectively liable to the proportion of the payments for the year which shall be growing at the time of the death of fuch incumbent, or avoidance of fuch living, according to the directions aforesaid; which said interest, principal, and costs, and proportion of payments growing at the time of the death of such incumbent or avoidance, shall and may be recovered against such incumbent, his successors, or representatives, re-

spectively, by action of debt, in any court of record.

All money received for dilapidations, etc. shall be applied in part of the payments under the aforesaid estimate;

IX. And be it further enacted, That all fum and fums of money recovered or received, by fuit or compositions, from the representatives of any former incumbent of such living or benefice, and not laid out in the repairs of such buildings, shall go and be applied in part of the payments under fuch estimate as aforesaid; and that all money thereafter to be recovered or received, in case the same cannot be had before such buildings are completed, and the money paid for the same, shall be applied, as soon as received, in payment of the principal then due, as far as the same will extend; or in case the said mortgage money shall have been discharged, all such money arising from dilapidations shall be paid into the hands of the nominee to be appointed as aforefaid, or of some other person or persons to be nominated by the ordinary, patron, and incumbent, in case such nominee shall be dead, or shall decline to act therein, to be laid out and expended in making some additional buildings or improvements upon the glebe someaddition- of such living or benefice, to be approved by the ordinary, patron, and incumbent; and in the mean time, or in case such buildings shall not be necessary, then in trust, to lay out the same in government or other good fecurities, and pay the interest thereof to the incumbent for the time being.

or in making al improvements, etc.

Where new buildings are necessary for the refidence of the incumbent, the ordinary, etc. may purchase any convenient house, within one mile of the church;

and a certain portion of iand.

X. Provided always, and be it further enacted, That where new buildings are necessary to be provided or erected for the habitation and residence of the rector, vicar, or other incumbent, pursuant to the authority hereby given, it shall and may be lawful for the ordinary, patron, and incumbent, of every fuch living or benefice, to contract, or to authorise, if they shall think fit, the person so to be nominated by them as aforesaid, to contract, for the absolute purchase of any house or buildings, in a situation convenient for the habitation and residence of the rector or vicar of fuch living or benefice, and not at a greater distance than one mile from the church belonging to fuch living, benefice, or chapelry: and also to contract for any land adjoining or lying convenient to fuch house or building, or to the house or building belonging to any parochial living or benefice, having no glebe lying near or convenient to the same, not exceeding two acres, if the annual value of fuch living, to be ascertained as aforesaid, shall be less than one hundred pounds per annum, nor two acres



### 1777.] Anno decimo septimo Georgii III. c. 53.

for every one hundred pounds per annum, if of greater value, and to cause the purchase-money for such house or buildings to be paid out of the money to arise under the powers and authorities of this act; in all which cases the said buildings and lands shall be conveyed to the patron of fuch living or benefice, and his heirs, in trust, for the sole use and benefit of the rector, vicar, or other incumbent of such living or benefice for the time being, and their successors, and shall be annexed to such church or chapel, and be enjoyed, and go in succession with the same for ever; but no contract so made by the nominee shall be valid, until confirmed by the ordinary, patron, and incumbent, by writing under their hands; and every such purchase deed shall be in the form or to the effect contained in the schedule hereunto annexed, and shall be registered in such manner, and in such office, as the other deeds are hereby directed to be registered.

XI. Provided also, and be it further enacted, That when any Purchase mofuch land lying near to the parsonage house and buildings, be-new for such longing to such living or benefice. Or to be so purchased or av longing to such living or benefice, or to be so purchased or ex-raised by sale, changed as aforesaid, shall be thought fit to be taken and used etc. of part of as a convenience for the same, the purchase-money or equivalent the glebe or for fuch land shall be raised and had by sale or exchange of some tythes. part of the glebe or tythes of such living or benefice, which shall appear to the faid ordinary, patron, and incumbent, most convenient for that purpose; and every such sale or exchange shall be by deed, in the form or to the effect contained in the schedule hereunto annexed, and registered as herein-before directed.

XII. And be it further enacted, That it shall and may be law- Governors of ful for the governors authorised or appointed to regulate and su- bounty imperintend the bounty given by her late majesty Queen Anne, for powered to the augmentation of the maintenance of the poor clergy, to ad-lend certain vance and lend any sum or sums of money, not exceeding the sums to profum of one hundred pounds, in respect of each living or bene- mote the exefice, out of the money which has arisen, or shall from time to act. time arise, from that bounty, for promoting and affisting the several purposes of this act, with respect to any such livings or benefices as shall not exceed the clear annual improved value of fifty pounds; and such mortgage and recurity shall be made for the repayment of the principal fums so to be advanced, as are herein-before mentioned, but no interest shall be paid for the same; and in cases where the annual value of such living or benefice shall exceed the sum of fifty pounds, that it shall and may be lawful for the said governors to advance and lend, for the purposes of this act, any sum not exceeding two years income of fuch living or benefice upon fuch mortgage and fecurity as aforesaid, and subject to the several regulations of this act, and to receive interest for the same, not exceeding four pounds for one hundred pounds by the year.

XIII. And be it further enacted, That it shall and may be Colleges in lawful for any college or hall, within the universities of Oxford Oxford and Cambridge, and Cambridge, or for any other corporate bodies possessed of the and other

patronage corporate bo-

438

dies patrons of livings, may lend any ot this act.

Anno decimo septimo GEORGII III. C. 53. [1777.

patronage of ecclesiastical livings or benefices, to advance and lend any fum or fums of money, of which they have the power of ditposing, in order to aid and assist the several purposes of this interest, to aid act, for the building, rebuilding, repairing, or purchasing, of any the execution houses or buildings for the habitation and convenience of the clergy, upon livings or benefices under the patronage of fuch college or hall, upon the mortgage and fecurity directed by this act for the repayment of the principal, without taking any interest for the same.

Who is to act for any patron who shall be a minor, lunatick, etc.

XIV. And be it further enacted, That whenever the patron of any living or benefice, to which the provisions of this act are proposed to be extended, shall happen to be a minor, idiot, lunatick, or feme covert, it shall and may be lawful for the guardian, committee, or husband of every such patron, to transact the several matters aforesaid for such patron, who shall be bound thereby, in such manner as if he or she had been of full age, of found mind, or feme-fole, and had done such act, or given his or her confent thereto.

Writings not liable to stamp duty.

XV. Provided also, and be it further enacted, That all acts herein-before required to be done or consented to by the ordinary and patron, shall be done by the ordinary alone, when such ordinary shall happen to be the patron of the living; and that no deed, bond, transfer, or other writing, instrument, or proceeding, made, had, or done, under the powers or authority of this act, shall be charged or chargeable with any stamp-duty, or fee of office, except as herein mentioned; any law or statute to the contrary notwithstanding.

Provifo, when the ordinary shall be a body

XVI. Provided always, and it is hereby further enacted, That in all cases where any act is required to be done by the ordinary, corporate, etc. in the execution of any of the purposes of this act, and such ordinary shall be a body corporate aggregate, every such act shall be done and fignified under the feal of fuch body corporate.

In certain cases the conient of the rector, etc. necessary.

XVII. Provided always, and be it further enacted, That where the incumbent of any chapelry or perpetual cure shall be nominated by the rector or vicar of the parish wherein the same is situated, in every such case the consent of such rector or vicar, together with the consent of the patron of such rectory, shall be necessary in all such matters wherein the consent of the patron is required by the former provisions of this act.

Disputes touching the the ordinary.

XVIII. Provided likewise, and be it further enacted, That whenever any controversy or dispute shall arise, touching the reresidence to be sidence of the incumbent, with respect to any of the matters determined by contained in this act, the same shall be adjusted and determined by the ordinary of the diocese.

Patron, etc. to make allowance to persons for applying the money, etc.

XIX. Provided also, and be it further enacted, That it shall and may be lawful for the patron, ordinary, and incumbent, of any such living or benefice as aforesaid, or any two of them, of which the ordinary to be one, by writing under their hands, to make fuch allowance to the person or persons to be nominated by them, for the purpose of paying and applying the money so

1777.] Anno decimo septimo Georgii III. c. 53. to be raised as aforesaid, as they shall think fit, not exceeding the fum of five pounds for every one hundred pounds so to be laid

out and expended as aforefaid. XX. Provided also, and be it further enacted, That in all cases In what manwhere the patronage of any living or benefice herein-before de- ner the conscribed shall be in the crown, and such living or benefice shall be fent of the above the yearly value of twenty pounds in the king's books, the be made consent of the crown to the several proceedings hereby autho- known, in all rised respecting such living or benefice shall be signified by the cases where lord high treasurer, or first lord commissioner of the treasury for the patronage the time being; but if fuch living or benefice shall not exceed crown.

the value of twenty pounds in the king's books, such consent shall be signified by the lord high chancellor, lord keeper, or commissioners of the great seal for the time being; or if such living or benefice shall be within the patronage of the crown in right of the duchy of Lancaster, then such consent shall be signified by the chancellor of the duchy for the time being, by writing under their respective hands, in the form or to the effect for that purpose contained in the schedule hereunto annexed; and that in all fuch cases where such deed is hereby required to be executed by the patron as well as the ordinary and incumbent, such deed shall be valid and effectual to all intents and purposes whatfoever, if executed by the ordinary and incumbent only, after fuch confent shall have been obtained as aforesaid from the said lord

high treasurer, first commissioner of the treasury, lord chancellor, lord keeper, lords commissioners of the great seal, or chancellor of the duchy of Lancaster respectively, as the case shall be, provided such consent shall be registered at the register office

aforesaid. XXI. And be it further enacted, That it shall and may be Lords of ma-lawful for any archbishop or bishop of any diocese, and also for contain any any ecclefiaftical corporation fole or aggregate, being lord or lords wafte lands of any manor, within which there shall be any waste or common convenient for lands, parcel of the demesnes of such manor, lying convenient the purposes for the house and buildings, and other the purposes of this act, may grant a to grant a part or parts of such waste or common lands in per- part thereof in petuity for the several purposes of this act, leaving sufficient perpetuity, common for the feveral persons having right of common upon etc. fuch wastes or commons, and obtaining the consent of the lesse of fuch lands, if the same shall be in lease.

439

SCHE-·Hh VOL. XXXI.



### SCHEDULE

### To which the Bill refers.

FORM of the CONSENT of the ordinary and patron, (to be written on parchment.)

A. pelry, or perpetual curacy, (as the case shall be) of the parish, chapelry, or perpetual curacy, (as the case shall be) of under the jurisdiction of the in the county of ordinary, having produced to us the faid ordinary, and patron of the faid church and living, a certificate under the hand a skilful and experienced workman, of or furveyor, of the state and condition of the buildings upon the glebe belonging to the faid church, chapelry, or perpetual curacy, (as the case shall be) and of the value of the timber, and other materials, thereupon, fit to be fold, or employed about such buildings; and also a plan, made by the said of the work proposed to be done by new buildings and repairs upon the said glebe, and an estimate of the expence attending the same, after applying the said materials, or the money to arise from the fale thereof, in fuch buildings and repairs; and also a particular account in writing, figned by the faid A. B. of the annual profits of fuch living, and of the rents, stipends, taxes, and other outgoings, annually issuing thereout, verified upon oath, pursuant to the directions of an act, passed in the seventeenth year of the reign of his majesty King George the Third, to promote the residence of the parochial clergy, by making provision for the more speedy and effectual building, rebuilding, repairing, or purchasing houses, and other necessary buildings and tenements, for the use of their benefices; and having considered such certificate, plan, and account: now, we do approve thereof; and do consent, that such buildings and repairs shall be made as therein specified; and that the said A. B. do borrow and take up at interest the sum of being the estimate of the expences, after deducting the value of the timber, and other materials, thought proper to be fold, and which ar pears to us, from the faid account, a fum not exceeding two years neat income and produce of the faid living; which money (a person nominated is to be paid to by us and the faid A. B.) and applied according to the direction of the faid act.

### 1777.] Anno decimo septimo Georgii III. c. 53.

### FORM of the MORTGAGE.

HIS indenture, made the day of year of the in the and in the year reign of his Majesty of our Lord between the reverend rector or vicar, &c. of the parish church, curacy, or chapelry, of in the county and the diocese of the bishop of of of the one part; and of the other part. of Whereas the faid pursuant to the directions of an act, passed in the seventeenth year of the reign of his majesty King George the Third, intituled, An act to promote the residence of the parochial clergy, by making provision for the more Speedy and effectual building, rebuilding, repairing, or purchasing bouses, and other necessary buildings and tenements, for the use of their benefices, hath obtained the consent of the ordinary of the said diocese, and the patron of the said church and living, to borrow and take up at interest the sum of to be laid out and expended in building, rebuilding, or repairing (as the case shall be) the parsonage house, and other necessary offices, upon the glebe belonging to the faid church, chapel, or curacy, as appears by an instrument, signed by the said ordinary and patron, hereunto annexed: and whereas the faid hath agreed to lend and advance the fum upon a mortgage of the glebe, tythes, of rents, and other profits and emoluments, of the faid living. purfuant to the direction and the true intent and meaning of the faid act: now this indenture witnesseth, That the said in confideration of the fum of five shillings to him in hand paid, and of the fum of paid at or before the sealing and delivery hereof, into the hands (a person or persons (as the case shall be) nominated by the faid ordinary, patron, and incumbent, to receive the same, pursuant to the direction of the said act (which nomination is also hereunto annexed) and which receipt of the the faid faid fum of have or hath acknowledged, by an indorfement on the back of this deed) hath granted, bargained, fold, and demised, and by these presents doth grant, bargain, sell, and demise, unto the said his executors, administrators, and assigns, all the glebe lands, tythes, rents, moduses, compositions for tythe, salaries, stipends, fees, gratuities, and other emoluments and profits whatfoever, arifing, coming, growing, renewing, or payable to the rector, vicar, or incumbent (as the cafe shall be) of the said living in respect thereof, with all and every their rights, privileges, and appurtenances thereunto belonging. to have, hold, receive, take, and enjoy the faid premifes, with Hh2



Anno decimo septimo GEORGII III. C. 53. [1777: their and every of their appurtenances, unto the said

his executors, administrators, and assigns, from henceforth, for and during the term of years, fully to be complete and ended, in as full, ample, and beneficial manner, and with such remedies and powers for obtaining and recovering the same, and every part thereof, to all intents and purposes, as the said

his successors, rectors, vicars, &c. (as the case shall be) of the said church, could or might, or ought to have held, enjoyed, received, taken, or recovered the same, if these presents had not been made:

In cases where the mortgage by this act directed is to be made by the ordinary and patron alone, without the incumbent, this covenant and proviso are to be omitted, and the form is to be varied in such other respects as shall be necessary.

[And the faid A. B. for himself, his heirs, executors, and admistrators, doth hereby covenant, promise, and agree, to and with the said

his executors, administrators, and assigns, That he the said A. B. during the time he shall continue rector, vicar, &c. of the said parish and parish church, shall

and will well and truly pay, or cause to be paid, unto the said his executors, administrators, or

affigns, interest for the faid sum of or so much thereof as shall remain due at the end of every year, to be computed from the day of the date of these presents, after per centum per annum, the rate of by yearly payments, the first of the said payments to begin and day of be made on the next; and also, at the several times before mentioned for payment of the interest, as aforesaid, shall and will well and truly pay, or cause to be paid, the sum of five pounds per centum per annum of the principal which remained due at the beginning of the year in which every such payment is to be paid, in case the faid A. B. shall be resident upon the said living for the time mentioned in, and according to the true intent and meaning of the faid act; and in case the said A. B. shall not reside upon the said living during the time mentioned in, and according to the true intent and meaning of the said act, he shall pay, or cause to be paid, the fum of ten pounds per centum per annum of the faid principal money, by such yearly payments as aforesaid, instead of the faid sum of five pounds per centum per annum, and shall and will continue such respective payments of the said interest, and on account of the faid principal money, so long as he shall continue rector, vicar, &c. (as the case shall be) of the said parish and parish church, unless all the said principal money, and interest for the same, shall be sooner paid and discharged. Provided always, and these presents are upon this condition, That if the faid A. B. and his successors, shall well and truly pay, or cause to be paid, the said principal money, and interest for the same, in manner and at the times aforefaid, according to the true intent and meaning of the faid act, and of these presents, and also all coits



costs and charges which shall have been occasioned by the non-payment thereof, these presents, and every thing herein contained, shall cease and be void.] Provided also, That it shall and may be lawful for the said A. B. and his successors, peaceably and quietly to hold, occupy, posses, and enjoy, all and singular the said glebe lands, tythes, rents, moduses, composition for tythes, stipends, sees, gratuities, and other emoluments and profits whatsoever, arising, or to arise, from or in respect of the said living, until default shall be made by him or them respectively in the payment of the interest and principal, or some part part thereof, at the times and in the manner aforesaid. In witness, &c.

NOMINATION of a clergyman by the bishop, to settle any dispute about the proportion of the payments within the year in which any avoidance shall happen.

The right reverend bishop of pursuant to the authority of an act, passed in the seventeenth year of the reign of his majesty King George the Third, intituled, An all to promote the residence of the parochial clergy, by making provision for the more Speedy and effectual building, rebuilding, repairing, or purchasing, houses, and other necessary buildings and tenements, for the use of their benefices, do hereby nominate the reverend being a clergyman within my faid diocefe, to adjust and determine the matter in dispute between the reveclerk, the present incumbent of the rectory, vicarage, &c. of within my diocese, the representatives of the and the last incumbent (in case of his death) or the said (in case of his resignation or promotion) concerning the due proportion to be paid by each of the said parties of the principal and interest which accrued due within the year in which such death or other avoidance happened, according to the direction, true intent, and meaning of the faid act. Given under my hand, this day of

AWARD and DETERMINATION of the elergyman nominated by the bishop.

The reverend A. B. of

and diocese of the bishop of

clerk, having been nominated by the said bishop, pursuant to the
power given by an act, passed in the seventeenth year of the reign
of his majesty King George the Third, intituled, An act to promote the residence of the parochial clergy, by making provision for the
more speedy and effectual building, rebuilding, repairing, or purchasing, houses, and other necessary buildings and tenements, for the use of
their benefices, to adjust and determine the matter in dispute beH h 2



444

Anno decimo septimo Georgii III. C. 53. [1777. clerk, the present tween the reverend

incumbent of the rectory, vicarage, &c. of

the repre-

within the faid diocese, and sentatives of the last incumbent (in case of his death) or the said (in case of his resignation or promotion)

concerning the due proportion to be paid by each of the said parties, of the principal and interest which accrued due within the year in which fuch (death or avoidance) happened, according to the direction and true intent and meaning of the faid act; and having heard and duly confidered the faid matters fo referred to me as aforesaid, do award, adjudge, and determine, That the shall pay, in respect of the interest and faid principal which became due within the year aforesaid, the sum of and that the faid

shall pay, in respect of the same, the sum of being the remainder thereof, according to the provision and direction of the said act. Given under my hand, this day of

### APPOINTMENT of the NOMINEE,

(to be wrote on parchment.)

W E whose names are subscribed, being the ordinary, par tron, and incumbent, of the rectory, vicarage, &c. of within the county of

and diocele of the bishop of do hereby nominate and appoint to receive the money authorized to be raised by an act, passed in the seventeenth year of the reign of his majesty King George the Third, intituled, An act to promote the residence of the parochial clergy, by making provision for the more speedy and effectual building, rebuilding, repairing, or purchasing, houses, and other necessary buildings and tenements, for the use of their benefices, for the purpose of building, rebuilding, repairing, or purchasing, the parsonage house, &c. (as the case shall be) to the said rectory, vicarage, &c. belonging, and to pay and apply the fame, and to enter into contracts with proper persons for such buildings or repairs, and to' inspect and take care of the execution of such contracts, and to take fuch receipts and vouchers, keep fuch accounts, and do and perform all fuch other matters and things, which nominees are authorized and required to do and perform in and by the faid act, the faid having given security for the due application thereof, according to the direction of the faid

Given under our hands, this

day of

### 1777.] Anno decimo septimo Georgii III. c. 53.

FORM of ORDER of the ordinary, patron, and incumbent, for laying out or applying the surplus money.

WE whose names are subscribed, being the ordinary, patron, and incumbent, of the rectory, vicarage, &c. of in the county of

and diocese of the bishop of do hereby order, That the fum of now remaining in the the person nominated and hands of appointed to receive and apply the money raised for building, repairing, &c. the parsonage house, &c. belonging to the said rectory, vicarage, &c. under the act of parliament, passed in the seventeenth year of the reign of his majesty King George the Third, intituled, An act to promote the residence of the parochial clergy, by making provision for the more speedy and effectual building, rebuilding, repairing, or purchasing, houses, and other necessary buildings and tenements, for the use of their benefices, shall be [paid to being the person entitled to receive the money now remaining due on the mortgage made of the glebe lands, tythes, and other profits and emoluments of the faid living, and applied in part of payment thereof, pursuant to the direction of the faid act] or [applied in building or repairing, &c. (describing the same) upon the glebe belonging to the said living.] Given under our hands, this day of

### FORM of CERTIFICATE from the two clergymen.

E, the reverend A. B. of county of in the clerk, and C. D. of clerk, being two clergymen within the diocese of the bishop of do hereby certify to the faid bishop, purfuant to the directions and instructions sent by him to us, That we have made enquiry into the state and condition of the buildings upon the glebe belonging to the rectory, vicarage, &c. of within the faid diocese, at the time the clerk, the present incumbent thereof, reverend entered upon the faid living, which was in or about the year of our Lord That the same have been kept in due and common repair, without any wilful neglect, (if the case is so) or [That the same have, by wilful negligence, been suffered to go to decay, and that they have sustained damage, from a want of common and ordinary repair, to the amount of pounds ] and we have also enquired into the money received by the said for dilapidations, from the representatives of the former incumbent, and do find, That he hath received the for fuch dilapidations; and [that fum of he hath expended the whole, or thereof (as the cafe Hh4 may



Anno decimo septimo GEORGII III. C. 53. [1777. may be) in the necessary repairs of the buildings] or [that the same hath not been laid out or expended in repairing the buildings] upon the glebe belonging to the said living. Given under our hands, this day of

FORM of the DEED of Sale, or exchange, of lands or tythes be-

HIS indenture, made the day of year of the reign of and in the year his majesty King between A. B. of our Lord ordinary of the rectory, (vicarage, chapelry, or perpetual cure, as the case shall be) of C. D. of county of . patron of the said rectory, &c. and the reverend E. F. clerk, incumbent of the said rectory, &c. of the one part, and G. H. of of the other part. Whereas, in the execution of an act, passed in the seventeenth year of the reign of his majesty King George the Third, intituled An act, &c. (here fet forth the title of the att) it hath been found convenient to purchase (or exchange, as the case shall be) certain lands, &c. (describe particularly the lands purchased) lying near and convenient to the parsonage house belonging to the said rectory, &c. (or, if the house be lately purchased) [lying near a certain meffuage, house, or tenement, and buildings, lately purchased for the habitation of the minister of the said rectory, &c. under the powers of the said act] and it hath been found most convenient, and agreed by the said ordinary, patron, and incumbent, that the glebe lands (or tythes, as the case shall be) herein-after described. belonging to the faid rectory, &c. shall be sold, to raise the sum being the purchase-money for the of. said lands herein-before described (or exchanged, if the same is to be done by exchange, in order to make an equivalent for such lands) and a contract hath been made with the said G. H. for the absolute sale, at the price or sum of exchange, as the case shall be) of part of the glebe land (or of the tythes, as the case shall be) belonging to the said rectory, &c. herein-after mentioned; that is to fay, (here describe the particulars of the land or tythes proposed to be sold or exchanged) which contract is hereby ratified and confirmed by the faid ordinary, patron, and incumbent: now this indenture witnesseth, That the said A. B. C. D. and E. F. in order to carry the said contract into execution, and to fulfil the purposes of the said recited act, in pursuance of the powers thereby to them given, and in considethe receipt whereration of the fum of of is acknowledged on the back of this deed; which fum hath been paid and applied in the purchase of the lands herein before described; have, and each of them hath granted, bargained, and fold, (and exchanged, if the same be by exchange) and by these pre-



1777.] Anno decimo septimo Georgii III. c.53.

fents do, and each of them doth grant, bargain, fell, (and exchange, if by exchange) unto the faid G. H. and his heirs and affigns, all, &c. (bere describe the lands or tythes, as the case shall be) with their and every of their rights, privileges, and appurtenances, to hold to and to the use of the said G. H. his heirs and assigns for ever. (If done by exchange, add the following words) [in exchange for certain lands which belonged to the faid G. H. and are, by indentures of equal date herewith, exchanged and conveyed to the said C. D. in trust, for the sole use and benefit of the said E. F. and his successors, rectors, vicars, &c. (as the case shall be) of the said living or benefice, for the time being for ever.] And the said A. B. C. D. and E. F. do hereby severally covenant for themselves, their several executors and administrators, to and with the said G. H. his heirs and assigns, That they, nor any of them, have or hath done any act whereby the faid lands (or tythes, as the case shall be) can or may be incumbered; and that the said G. H. his heirs and assigns, shall and may, from time to time, for ever hereafter, peaceably and quietly hold and enjoy the faid glebe lands or tythes (as the case shall be) according to the true intent and meaning of the said act, without any lett, hindrance, or interruption, of or from them, or any of them.

In witness, &c.

FORM of the DEED of purchase or exchange of buildings or lands to be annexed to the living or benefice.

day of HIS indenture, made the year of the reign of his majesty in the and in the year of our Lord King of the one part; C. D. ordinary between A. B. of of the rectory, vicarage, chapelry, or perpetual cure (as the cafe in the county of shall be) of patron of the said rectory, &c. E. F. of and the reverend G. H. clerk, incumbent of the said rectory, &c. of the other part. Whereas there is no parsonage house belonging to the faid rectory, &c. (or) [the parsonage house belonging to the faid rectory, &c. is become so ruinous and decayed (or so mean) that it is not fit for the habitation of the minister of the faid rectory, &c.] and one year's neat income or produce of the faid living or benefice will not be sufficient to rebuild or repair the said house, with the necessary offices belonging thereto: and whereas a certain messuage, house, or tenement, with the buildings thereunto belonging, situate in the property of the said A. B. and lying within the distance of

yards from the church (or chapel, as the case shall be) of the said rectory, &c. appears to the said ordinary, patron, and incumbent, proper and convenient for the habitation and use of the minster of the said rectory, &c. [and more commodious than the present house and buildings upon the glebe of the said rectory, &c.] (in cases where there are any); and a contract hath been tory, &c.] (in cases where there are any); and a contract hath been

Anno decimo septimo Georgii III. C. 53.

made, by the direction and with the approbation and consent of the said ordinary, patron, and incumbent, with the said A. B. which is hereby ratified and confirmed by the said ordinary, patron, and incumbent, for the absolute purchase of the said mesfuage, house, or tenement, and buildings for the price or sum of pursuant to the directions of an act, passed

in the seventeenth year of the reign of his majesty King George the Third, intituled, An act, &c. (fet forth the title of the act:)

This to be inserted when the lands are purchased from the Same per-Jon who fells the boufe and buildings.

[And whereas a contract has likewise been made with the said A. B. by the like direction, approbation, and consent, which is hereby likewise ratified and confirmed by the faid ordinary, patron, and incumbent, for the absolute purchase of the inheritance of a certain yard, garden, orchard, and piece or parcel of land (describing them particularly as the case shall be) lying near or convenient to the said messuage, house, tenement, and buildings, containing, by adfor the price or measurement, which have been agreed by fum of the faid ordinary, patron, and incumbent, to be raised by the sale (or exchange) of certain lands or tythes (as the case shall be) belonging to the said rectory, &c. herein-after described, pursuant to the powers given by the faid act; viz. (here give a full description of the lands so agreed to be sold); (if the equivalent is to be by exchange, then after the word incumbent last mentioned, insert [and the said A. B. to be J exchanged for ] certain lands or tythes, &c. (as above.)]

Now this indenture witnesseth, That the said A. B. for and in

confideration of the faid feveral sums of

to him in hand paid for the purchases aforesaid (if both the buildings and lands are purchased for money); (but if the equivalent for the land is to be by exchange, then) In confideration of the faid fum of

for the purchase of the said messuage, house, or tenement, and buildings, and in confideration of the land (or tythes, as the case (Ball be) so agreed to be exchanged as aforesaid, and intended to be conveyed to him the faid A. B. by the faid ordinary, patron, and incumbent, by indenture of equal date herewith] the receipt of which faid sum (or sums of money, as the case shall be) [and acknowledgement of the faid exchange] (if the equivalent for the land is to be by exchange) the faid A. B. hath admitted, by an indorsement on the back of this deed, hath granted, bargained, and fold, and by these presents doth grant, bargain, and sell, (if by exchange) [hath granted, bargained, fold, and exchanged, with, and] unto the said E. F. and his heirs, all, &c. (here insert a full description of the buildings or lands so intended to be conveyed, with their and every of their rights, privileges, and appurtenances) to hold to the faid E. F. and his heirs, in truft, for the fole use and benefit of the faid G. H. and his successors, rectors, vicars, &c. (as the case shall be) of the said living or benefice for the time being,



## 1777.] Anno decimo septimo GEORGII III. C. 53.

being, for ever: and the said A. B. for himself, his heirs, executors, and administrators, doth covenant and agree to and with the said E. F. and his heirs, That he hath good right to convey the said messuage, house, or tenement, and buildings, lands, &c. (as the case shall be) and that he will warrant the same, for the uses and purposes aforesaid, for ever, free from all claims, charges, and incumbrances whatsoever, by, from, or under him, or any of his ancestors. In witness, &c.

### FORM of CERTIFICATE of RESIDENCE.

WE, A. B. rector, vicar, or officiating minister (as the case shall be) of the parish of clerk, and C. D. rector, diocese of vicar, or officiating minister (as the case shall be) of the parish of within the said diocese, clerk, which said parishes of and are near adjoining to the parish of within the said diocese, do hereby certify, That E. F. rector, vicar, or incumbent (as the case shall be) of the said parish and parish church aforesaid, hath resided upon his living or benefice, within that parish, for the space of twenty weeks, between the day of laft. and the day of Given under our hands, this day of

FORM of CONSENT where the living or benefice shall be in the patronage of the crown, or within the duchy of Lancaster.

HEREAS the living or benefice of within the diocese of is in the patronage of the crown, and rated above or under (as the case shall be) twenty pounds per annum in the King's books or of the chancellor of the duchy of Lancaster, (as the case shall be); and application hath been made for building, (rebuilding, repairing, or purchasing, or exchanging, as the case shall be) the parsonage house or other buildings or land (as the case shall be) for the use of the said living or benefice, in pursuance of the powers given for that purpose, by an act passed in the seventeenth year of the reign of his majesty King George the Third, intituled, An act to promote the residence of the parcchial clergy, by making provision for the more speedy and effectual building, rebuilding, repairing, or purchasing, houses, and other necessary buildings and tenements, for the use of their benefices; now I the right honourable first lord commissioner of the treasury, lord high chancellor of Great Britain, or chancellor of the duchy of Lancaster, (as the case shall be) being satisfied that such building, rebuilding, repairing, purchasing, or exchanging, &c. (as the case shall be) will be an improvement and advantage to the faid living or benefice,

Anno decimo septimo Georgii III. C.54,55. do hereby consent, That such buildings, repairs, purchases, or exchanges, (as the case shall be) shall be made, according to the directions and the true intent and meaning of the faid act. day of Given under my hand, this

### CAP. LIV.

An act for defraying the expence of building a new goal and thire-hall for the county of Westmoreland.

### CAP. LV.

An all for the better regulating the hat manufactory.

THEREAS by two acts, one made in the eighth year of the

reign of Queen Elizabeth, (intituled, An act for uttering

Preamble. Acts 8 Eliz.

and I Jac. I.

recited;

of caps, and for true making of hats and caps;) and the other made in the first year of the reign of King James the First, (intituled, An act for the better execution of former laws touching the making of hats and felts, and for the more restraint of unskilful and deceiveable workmanship therein used, to the wrong of all sorts of people of this realm;) it is declared, That no person or persons shall make or work any felt or hat, unless he or they shall have first served as apprentices to the trade or art of felt-making for the space of seven years; nor set to work any other person or persons than journeymen that bave lawfully served to that art, and apprentices lawfully bound to that art; nor fet to work in that art any person or persons born out of the dominions of England, Scotland, and Ireland; and that no makers or workers of hats shall have above the number of two apprentices at one time (except their own children) nor thefe for less term than feven years, upon pain of the several penalties and forfeitures prescribed by the said respective acts: and whereas, by reason of the said acts, there is a scarcity of journeymen in the said business throughout this kingdom: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the au-

and repealed. thority of the same, That the said recited act, passed in the eighth

year of the reign of Queen Elizabeth, (intituled, An all for uttering of caps, and for true making of bats and caps;) and also the said act passed in the first year of the reign of King James the First, (intituled, An act for the better execution of former laws touching the making of hats and felts, and for the more restraint of unskilful and deceivable workmanship therein used, to the wrong of all sorts of people of this realm, ) be, and hereby are totally repealed.

Mafter hatploy a journeyman for every apprentice they vided a futfi-

II. Provided always, and be it further enacted, That every makers to em- master hatmaker shall and is hereby required to take and employ one journeyman hatter for every apprentice he shall employ in the trade of hatmaking, provided there shall be a sufficient number of journeymen hatters, who have served as apprentices to hall take, pro. the faid trade, offer themselves for that employment; or in default thereof, he shall for ever thereafter be disabled from taking



## 1777.] Anno decimo septimo Georgii III. C. 55.

more than two apprentices to the said trade, in such manner as cient number he would have been if this act had not been made.

III. And whereas, by an act, made in the twenty-second year of the feves. reign of his late majesty King George the Second, (intituled, An act for the more effectual preventing of frauds and abuses committed Recital of an by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and filk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot-pressers, and of all persons employed in the said several manufactures; and for the better payment of their wages;) provision is made for the punishment of such journeymen and others employed in the several manufactures of hats or felts, and other the manufactures therein mentioned, as should at any time act in, make, enter into, or be knowingly concerned in, any contract, covenant, or agreement, bye-law, ordinance, rule, or order, for regulating the isade, settling the prices of goods, or for advancing their wages, or lessening their usual hours of work, or who should depart from their service before the end of their hiring, or quit or return their work before the same should be finished according to agreement, or who should wilfully damnify, spoil, or destroy any of the goods, wares, or work committed to their care, or wherewith they should be intrusted; but such provision hath been found inessetual, by reason that the persons convicted of any such offences have a power to appeal to the justices at a quarter sessions, against any conviction, without being obliged to enter into recognizances for their appearance at such sessions to prosecute such appeal, and abide the order of such sessions; whereby they evade the punishment inflicted by the said act, and hold the same in contempt; be it therefore further enacted by the authority aforesaid, That if any journeyman hatter, hat-maker, Any journeypiece-master, servant, workman, or other person whatsoever, man hatter, employed in the making or finishing of hats or felts, in any of having enbranch thereof, shall be convicted, in manner directed and pre- tered into any scribed by the said last-mentioned act, of having kept up, acted club, combiin, made, entered into, figned, fealed, or having been knowingly nation, etc. by concerned in, any contract, covenant, or agreement, bye-law, act declared ordinance, rule, or order, of any club, fociety, or combination, to be illegal; by the faid act declared to be illegal; or of prefuming or attempting to put any illegal agreement, bye-law, ordinance, rule, or order, in execution; or of departing from his tervice before the end of the time for which he was hired or retained; or of quitting or or of not fireturning his work before the same shall be finished according nishing his to agreement; or of wilfully spoiling or destroying any goods, work according to agreewares, or work : every fuch person so convicted, before he, she, ment, etc. or they shall be intitled to appeal to the justices at the quarter sessions against any such conviction, or before the proceedings under such conviction shall be suspended, shall enter into re-shall, before cognizance, with two sufficient fureties, the principal in the sum he is allowed of ten pounds, and the two fureties in the fum of five pounds to appeal to each, before one or more justice or justices of the peace for the testions, enter county, city, or place where the offence shall be committed, for into recognithe appearance of the person so convicted at such quarter sessions, zance to pro-

of journeyme

to fecute the ap-

peal, and bide the judgement of the justices; who shall finally deterAnno decimo septimo GEORGII III. C. 55.

to prosecute such appeal, and abide the judgement and determination of the justices at such general quarter sessions (which recognizances the said justice or justices of the peace are hereby impowered and required to take); and the justices, in the said general quarter sessions, are hereby authorised and required to hear mine the same. and finally determine the matter of the said appeal, and to award such costs, as to them shall appear just and reasonable, to either party: and if upon the hearing fuch appeal, the judgement of the justices, before whom the appellant shall have been convicted, shall be affirmed, such appellant shall immediately be committed to the common gaol or house of correction, in pursuance of the original order of conviction, there to remain for the time which shall have been ordered and directed in such original order, and until the appellant shall pay the costs which shall be awarded against him by the justices in such general quarter sessions of the

IV. And, for the more effectual suppression of all combinations

peace on the confirmation of fuch order.

If any person shall attend, or folicit any journeyman hatter to atas aforefaid,

or shall subfcribe or pay any fum of money to fup-

he shall be 1 months.

amongst journeymen hatters, and other persons employed in the said trade, be it further enacted by the authority aforesaid, That if any perfon or persons whomsoever (whether employed in the said trade or not) shall attend any meeting, club, society, or combination, by the said last-mentioned act declared to be illegal; or shall tend, any such summons, give notice to, or call upon, any journeyman hatter, unlawfulclub, or other person employed in the said trade, to attend any such unlawful meeting, club, fociety, or combination, or to pay any fum or fums of money whatfoever, as a fine, contribution, or subscription, for the use of any such unlawful meeting, club, fociety, or combination; or who shall collect, demand, or receive any fum or fums of money from any journeyman hatter, or other person employed in the said trade, for any of the above purposes; or shall persuade, entice, inveigle, or intimidate, or endeavour to persuade, entice, inveigle, or intimidate, any journeyman hatter, or other person employed in the said trade, to enter into, or be concerned in any fuch illegal meeting, club, fociety, or combination, or to turn out against, or quit the service or employ of, the master hatter or master hatters, in whose fervice they may be employed; or if any person or persons shall pay any fum or fums of money, or make or enter into any fubscription or contribution whatsoever, for or towards the support port the same; or encouragement of any such illegal meeting, club, society, or combination; every such person or persons so offending, and being thereof convicted, before any two or more of his Majesty's justices of the peace for the county, city, town, or place wherein fuch offence thall be committed, on the oath of one or more credible witness or witnesses, shall, for every such offence, be committed for committed to the common gaol or house of correction for such county, city, town, or place, at the discretion of such justices, there to be and remain without bail or mainprize for any time not exceeding three months.

V. And be it enacted, That so much of the act passed in the Act & Eliz. in part repeated. fifth year of the reign of Queen Elizabeth, intituled, An all con-

taining



# 1777.] Anno decimo septimo Georgii III. C. 55.

taining divers orders for artificers, labourers, servants of husbandry, and apprentices, as extends, or may be construed to extend, to restrain any person or persons from setting up, using, occupying, and exercifing, the craft, mystery, and occupation of a master hat-maker, hat-maker, or felt-maker, unless such person or persons have been brought up as apprentices therein, be, and the fame is hereby repealed.

VI. And be it enacted by the authority aforesaid, That no No hat-maker person or persons using or exercising the trade of a matter hat- stice of peace maker, hat-maker, or felt-maker, thall, during the time of his in the execucontinuing to, use or exercise such trade, be capable of acting as a tion of this justice of the peace in the execution of this or any other act re- act, etc. lative to the punishment of any journeyman hat-maker or apprentice who shall offend against this or any other act made for

the regulation of the faid trade.

VII. Provided always, and be it further enacted, That this This act not act, or any thing herein contained, shall not extend, or be con- to repeal the ftrued to extend, to repeal the faid act made in the twenty-fecond etc. year of the reign of his faid late majesty King George the Second, or any of the provisions therein contained, or any of the acts therein mentioned; but that the faid provitions shall remain in full force, and the penalties and forfeitures in the said acts mentioned or recited, to which offenders are respectively subjected, may be levied, recovered, and inflicted, in the same manner as fuch penalties and forfeitures might have been levied, recovered, and inflicted, before the making of this act; any thing herein contained to the contrary notwithstanding.

VIII. Provided also, and be it further enacted, That it shall Any person and may be lawful for any person convicted before one or more fore a justice, justice or justices of the peace, of any of the offences in this act may appeal to mentioned, to appeal to the justices of the peace assembled at the the quarter next general sessions, or general quarter sessions, to be held for sessions; the county, city, borough, town, liberty, or place, wherein such giving imme-conviction shall be made, giving immediate notice of the intendiate notice, tion of bringing fuch appeal, and finding fecurity, to the fatis- and finding faction of the justice or justices before whom such conviction sufficient secushall have been made, for being present at such general sessions, rity for proteor general quarter fellions, and for profecuting the faid appeal appeal with with effect, and abiding the judgement of the court; and fuch effect, etc. justices, in such general sessions, or general quarter sessions, shall finally hear and determine the matter, and shall have power to award reasonable costs to either party, as to them shall seem just; and if such conviction shall be affirmed at such sessions, such appellant shall be committed to the common gaol or house of correction for any time not exceeding three months.

IX. Provided always, and be it further enacted by the autho- Limitation of rity aforesaid, That no action shall be brought against any justice actions. of the peace, conflable, headborough, or other officer, or against any other person or persons whomsoever, for any matter or thing whatfoever done or committed under, or by virtue, or in the execution of this act, unless such action shall be brought within

Anno decimo septimo Georgii III. c. 56. [1777.

three calendar months next after the doing or committing fuch

matter or thing.

Defendants under this act may plead the general iffue,

X. Provided also, That if any action or suit shall hereafter be commenced or profecuted against any person or persons, for any thing done by virtue or in the execution of this act, fuch person or persons may plead the general issue, and give this act and the fpecial matter in evidence; and if the plaintiff shall become nonfuited, or suffer discontinuance, or forbear further prosecution, or if judgement shall be given for the defendant or defendants, fuch defendant or defendants shall recover double costs, for which he, she, or they, shall have the like remedy as in cases

and recover double cofts.

where costs by law are given to defendants.

Publick act.

XI. And be it further enacted, That this act shall be taken and allowed to be a publick act in all courts within this kingdom; and all judges and justices of the peace are hereby required to take notice thereof as such, without specially pleading the fame.

#### CAP. LVI.

An all for amending and rendering more effectual the several laws now in being, for the more effectual preventing of frauds and abuses by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and filk manufactures; and also for making provisions to prevent frauds by journeymen dyers.

Preamble.

Recital of an act 22 Geo. 2.

TIHEREAS by an act, made in the twenty-second year of the reign of his late majesty King George the Second, (intituled, An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fur, hemp, flax, mohair, and filk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot-pressers, and of all persons employed in the said several manufactures, and for the better payment of their wages;) it was enacted, That if any person or persons what soever, who should be hired or employed to make any felt or hat, or to prepare or work up any wollen, linen, fustian, cotton, iron, leather, fur, bemp, flax, mobair, or filk manufactures, or any manufactures made up of wool, fur, hemp, flax, cotton, mohair or filk, or of any of the said materials mixed one with another, should, from and after the twenty-fourth day of June, one thousand seven bundred and forty-nine, purloin, embezzle, secrete, sell, pawn, exchange, or otherwise unlawfully dispose of, any of the materials with which he, she, or they should be respectively intrusted, whether the same, or any part thereof, be or be not first wrought, made ut, manufactured, or converted into merchantable wares, and should be thereof lawfully convicted, in manner therein mentioned, before any one or more justice or justices of the peace of the county, riding, division, city, liberty, town, or place, where such offence should be committed, or where the person or persons so charged should reside or inhabit, it should and might be lawful to and for the faid justice or justices, by warrant



# 1777.] Anno decimo septimo Georgii III. c. 56.

under his or their hand and seal or hands and seals, to commit the person or persons so convicted to the house of correction, or other publick prison, of such county, riding, division, city, liberty, town, or place, there to be kept to hard labour for the space of fourteen days, and also to order the person or persons so convicted to be once publickly whipped at the market-place, or some other publick place, of the city, town, or place, where such offender or offenders should be respectively committed; and in case of a further conviction, in manner before prescribed by the said act, for or upon a second or other subsequent offence of the same kind, it should and might be lawful to and for the justice or justices before whom such conviction should be had, to commit the person or persons so again offending, to the house of correction, or other publick prison, as aforesaid, there to be kept to hard labour for any time not exceeding three months, nor less than one month, and also to order the person or persons so again offending, to be publickly whipped at the market-place, or some other publick place of the city, town, or place, where such offender or offenders should be respectively committed, twice, or oftener, as to such justice or justices should appear reasonable: and whereas it is thought necessary to vary the punishment for the offences berein-before recited; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from so much of and after the first day of July, one thousand seven hundred and as prescribes feventy feven, so much of the said recited act as prescribes what the punishthe punishment shall be in any of the cases before-mentioned, ment to be or before whom such conviction shall be had, whether for a first inflicted for offence, or a fecond, or any subsequent offence, shall be repealed; embezzling, and instead of inslicting the punishment so directed, the justices of materials, of the peace before whom the conviction shall be, shall commit is hereby rethe person convicted to the house of correction, or other pub- pealed; lick prison, there to be kept to hard labour, in the case of a first and other puoffence, for any time not less than fourteen days, nor more than substituted inthree months; and in the case of a second or any subsequent of- stead thereof. fence, for any time not less than three months, nor more than six months; and may likewise for the first, or for any subsequent offence, order the person convicted to be once publickly whipped, if fuch additional punishment shall by the said justice or justices be deemed proper.

II. Provided always, and be it further enacted by the autho- No person to rity aforesaid, That no person or persons, who shall be charged be convicted, with any offence or offences against the said recited act of the unless before twenty-second year of the reign of his late mainsty King Course two justices, twenty-second year of the reign of his late majesty King George etc. the Second, shall be liable to be convicted, unless before two or more justices of the peace for the county, riding, division, city, liberty, town, or place, where the offence shall be committed; any thing contained in the faid recited act to the contrary hereof notwithstanding.

III. And whereas, by the faid all of the twenty-second year of the Recital of a reign of his late majesty King George the Second, it was also enacted, clause in the That if any person or persons should buy, receive, accept, or take, by aforesaid act. way of gift, pawn, pledge, fale, or exchange, or in any other manner VOL. XXXI.

punishment



#### Anno decimo septimo Georgii III. c. 56. 1777.]

together with such costs of prosecution as should be judged reasonable by the justice or justices before whom such conviction should have been had, should be equally distributed among st the poor of the parish or place where the person or persons so convicted should reside or inhabit: and whereas it is thought necessary to increase the pecuniary penalties directed by the Said recited all for the said offences last mentioned, and to vary the application of the said penaltics for the same, and further to change the consequences of nonpayment; be it therefore further enacted, That, So much of from and after the faid first day of July, one thousand seven hun- the said act, dred and seventy-seven, so much of the said recited act of the as orders the twenty-second of his late majesty King George the Second, as for buying, enacts what the penalty or punishment shall be for such buying, receiving, etc. receiving, accepting, or taking, by way of gift, pawn, pledge, fale, of any goods or exchange, or in any other manner, as is described by the said in the lastact, in the terms aforesaid, and how such penalty shall be applied, mentioned, and what punishment shall be inflicted in case of nonpayment, repealed; shall be repealed; and instead thereof, the penalty for the first and other puoffence shall be any sum not more than forty pounds, nor less nishments sub-than twenty pounds, as the justices before whom the conviction thereof. shall be shall judge to be most proper; and every such pecuniary penalty shall be applied, under the direction of the justices before whom the conviction shall be, in manner following; (that is to fay) In the first place, the expences of the prosecution shall be thereout defrayed; and then such satisfaction shall be made thereout to the party or parties injured, as the faid justices shall think proper; and afterwards so much of the said penalty shall be paid to the informer or informers as fuch justices shall think fit, not exceeding, in any case, ten pounds; and the remainder, if any, shall be paid and distributed to and amongst the poor of the parish, town, or place, where the conviction shall be, or for the use of such publick charity or charities as such justices shall appoint: and if fuch pecuniary penalty as aforefaid shall not be paid on conviction, the said justices shall commit the person convicted to the house of correction, or other publick prison, there to be kept to hard labour for any time not more than fix months, nor less than three months, as the said justices shall think fit to direct, unless such pecuniary penalty shall be sooner paid; or the faid justices may send the person convicted to the house of correction, or other publick prison, there to remain for three days, exclusive of the day of commitment, with an order that within the said time the person so convicted shall be once publickly whipped at such market-place, or other publick place, as aforefaid.

IV. And be it further enacted by the authority aforesaid, That, How just ces from and after the faid first day of July, one thousand seven hun- when offenddred and seventy-seven, if any person or persons shall be brought ers are before any justices of the peace, and shall be charged upon oath, brought beor (being of the people called Quakers) upon solemn affirmation, fore them for of having been guilty of buying, receiving, accepting, or taking, fence. by way of gift, pawn, pledge, fale, or exchange, or in any other manner, as is described by the said recited act, in the terms afore-



Anno decimo septimo Georgii III. c. 56. [1777.

aforesaid, and it shall appear to such justices that the person or persons so charged hath or have been already convicted of the like offence for which he, the, or they is or are then charged, that then such justices shall not proceed to convict such person or persons, but shall commit him, her, or them to the house of correction, or some other publick prison, there to remain until the next general or general quarter sessions of the peace to be held in and for the county, riding, division, city, liberty, town, or place, where the offence shall have been committed, or until such offender or offenders shall have entered into a recognizance to answer for such offence at the said next general or general quarter sessions; and the justices in such general or general quarter fessions are hereby authorised and required to take cognizance thereof, and to hear and determine the same; and if such person shall be convicted upon the oath, or (being of the people called Quakers) upon the affirmation, of one or more credible witness or witnesses, the person so convicted shall forfeit and pay, for such offence, any fum not more than one hundred pounds, nor less than fifty pounds, as the said justices shall judge to be most proper; and every such penalty shall be applied and disposed of, under the direction of the faid justices in their general or general quarter fessions, in such manner and proportions as the penalty herein before imposed for the first offence of the like nature is by this act directed to be applied and disposed of; and if such penalty shall not be paid on conviction, the said justices shall commit the person so convicted to the house of correction, or other publick prison, there to be kept to hard labour for any time not more than fix months, nor less than three months, as the faid justices shall in their discretion think fit, unless such penalty shall be sooner paid; or the said justices may send the person convicted to the house of correction, or other publick prison, there to remain for three days, exclusive of the day of commitment, with an order that within the faid time fuch person shall be once publickly whipped at fuch market-place, or other pub-

the quarter fessions, shall forieit from sol. to rool. or be committed, etc.

Any fuch

offender con-

victed before

lick place as aforefaid. V. And whereas many frauds are practifed, in respect to such materials as aforesaid, by persons who sell them knowing them to have been purloined or embezzled; be it therefore further enacted, That, after the said first day of July, one thousand seven hundred and seventy-seven, if any person shall sell, pawn, pledge, exchange, or otherwise unlawfully dispose of, or offer to sell, pawn, pledge, knowing them exchange, or otherwise unlawfully dispose of, any such materials as aforesaid, whether wrought or unwrought, mixed or unmixfirst be liable ed, knowing them to have been purloined or embezzled, every fuch person, lawfully convicted, thall be liable to the same pupurithment as nishment as he or she would be liable to by virtue of this act, on being convicted of receiving purloined or embezzled materials, knowing them to have been purloined or embezzled.

Persons felling, pawning, etc. any fuch ma'eriais as atorelaid, to have oren emb: zzled, to the fame for ecceiving einhers ed felittilais.

VI. And whereas such materials as aforefaid, which have been purloined or emberizled, are frequently received by persons knowing the same to have been so purloined or embezzled; and such materials being

afterwards



1777.] Anno decimo septimo Georgii III. c. 56.

afterwards worked up, or otherwise disposed of, renders it difficult to convict such offenders; be it therefore enacted by the authority aforesaid, That, from and after the said first day of July, one How justic thousand seven hundred and seventy-seven, when any person or to proceed in persons shall be brought or charged upon oath, before any two persons charge or more justices of the peace, by virtue of this act, with being ed on oath suspected of, or with having purloined or embezzled, or with with being having received any such materials as aforesaid, whether the suspected of same be wrought or unwrought, mixed or unmixed, knowing bezzled such the same to have been either purloined or embezzled, or received materials, or from some person or persons not intitled to dispose thereof, and of having reit shall be made appear upon the oath, or (being of the people ceived the called Quakers) upon the affirmation of one or more credible them to have witness or witnesses, to the satisfaction of such justices, that such been emperson or persons hath or have purloined or embezzled, or hath or bezzled, etc. have received any fuch materials as aforefaid, knowing the fame to have been purloined or embezzled, or received from some person or persons not intitled dispose thereof, it shall and may be lawful for fuch justices or for the justices at their general or general quarter fessions of the peace, and they are hereby respectively authorised and impowered (if they shall think fit) to convict such person or persons of having purloined or embezzled, or of having received fuch materials as aforesaid, knowing the same to have been purloined or embezzled, or received from some person or persons not intitled to dispose thereof, although no proof shall be given to whom such materials belong; and the person or persons so convicted shall, for every such offence, be subject to such and the like penalties and punishments, at the discretion of such justices respectively, as persons convicted of buying or receiving any such materials as aforesaid, knowing the same to have been purloined or embezzled, are by this act subject and liable to.

VII. And whereas, by the said recited act of the twenty-second of Another King George the Second, it was also enacted, That if any person or act 22 Geo. 2. persons intrusted with any of the materials therein and herein-before recited, mentioned, in order to prepare, work-up, or manufacture the fame, should not use all such materials in the preparing, working-up, or manufacturing, of the same, and should neglect or delay, for the space of twenty-one days after such materials sould be prepared, worked up, or manufactured, to return (if required by the owner or owners of fuch materials so to do) so much of the said materials as should not be used as aforesaid, to the person or persons intrusting bim, her, or them therewith, such niglest or delay should be deemed a purloining or embezzling of such materials; and the person or persons so neglecting or delaying, being thereof convicted in manner therein-before prescribed for the conviction of offenders against the Said act, should suffer the like punishment as persons convicted of purloining or embezzling any of the materials therein-before mentioned, are by the faid act rendered Subject and liable to: and whereas the space of twenty-one days, allowed by the said recited act, is thought too long a time to be allowed for returning the said materials, under the circumstances, and in manner aforesaid; and it may be proper to make the punishment for not returning 113

Anno decimo septimo Georgii III. c. 56. [1777.

and altered.

turning such materials the same as for purloining or embezzling under this act; be it therefore further enacted, That, from and after the faid first day of July, one thousand seven hundred and seventyseven, so much of the said recited act as allows twenty-one days after the preparing, working-up, or manufacturing the faid materials, for returning fo much of the faid materials as shall not be, used in such preparing, working-up, or manufacturing, and declares that the punishment for not so returning the said materials within the faid time, shall be the same as under the said act is directed for purloining or embezzling, shall be repealed; and only eight days shall be allowed for returning the faid materials in manner aforesaid; and the punishment for not returning them within the said eight days shall be the same as is by this act directed to be inflicted for purloining or embezzling.

Another clause of the faid act iecited,

VIII. And whereas, by the faid all of the twenty-second year of the reign of his late majesty King George the Second, it is enacted, That, from and after the faid twenty-fourth day of June, one thousand seven hundred and forty-nine, if any person who should be hired, retained, or employed, to prepare or work-up any of the manufactures therein-before mentioned, for any one master, should neglett or refuse the performance thereof, by procuring or permitting himself or herself to be subsequently retained or employed by any other master or person what soever, before he or she should have completed the work which be or she was first and originally so bired, retained, or employed to perform, and which was first delivered to him or her; then, and in every such case, the person so offending, being thereof lawfully convicted by the oath, or (being of the people called Quakers) affirmation, of one or more credible witness or witnesses, before one or more justice or justices of the peace of the county, riding, division, city, liberty, town, or place, where the offence or offences should be committed, should be fent to the bouse of correction, there to be kept to hard labour for any time not exceeding one month: and whereas the faid provision contained in the faid recited clause is not found sufficient for the purpose intended, and it is apprehended that some other provision, more proper, may be made; and repealed. he it therefore further enacted, That, from and after the faid first

> masters; or thall procure, or permit himself or herself to be employed or retained in any other occupation or employment whatfoever fooner than eight days before the completion of the work first taken; then, and in every such case, such person being thereof lawfully convicted by the oath, or (being of the people

Any person being employ- from and after the faid first day of July, one thousand seven huned to work-up dred and seventy-seven, if any person, being hired, retained, or materials, who employed, to prepare or work-up any materials, whether mixed thall neglict to perform the fame for 8 be fent to the house of correttion. mixed or unmixed, for manufacture, from any other mafter or

day of July, one thousand seven hundred and seventy-seven, the whole of the faid last-recited clause shall be repealed; and that, or unmixed, for any mafter or mafters, shall wilfully neglect or refuse the performance thereof for eight days successively; or days, etc. shall having taken in any materials, whether mixed or unmixed, for manufacture, from one master, or two or more masters, being co-partners, shall afterwards take in any materials, whether



[777.] Anno decimo septimo Georgii III. c. 56.

called Quakers) affirmation, of one or more credible witness or witnesses, before two or more justices of the peace of the county, riding, division, city, liberty, town, or place, where the offence or offences shall be committed, shall be sent to the house of correction, or other publick prison, there to be kept to hard labour for any time not exceeding three months, nor less than one month.

IX. And whereas it frequently happens that persons receive the said materials in fictitious names, in order to be manufactured; and that persons receive such materials in their own names, in order to be manufactured by themselves, and afterwards deliver the same to others to be manufactured, without the knowledge or confent of the owners thereof; and that carriers, or other persons employed to deliver materials to workmen to be prepared or manufactured, do designedly deliver such materials to other persons than those intended by the owner of such materials; be it therefore further enacted by the authority afore- If any person faid, That, from and after the faid first day of July, one thousand shall receive feven hundred and seventy-seven, if any person shall receive any any materials of the aforesaid materials in a sictitious name, in order to be ma- to be manunufactured; or if any person shall receive in his or her own factured, in a name any of the said materials, in order to be manufactured by name; or himself or herself, and afterwards deliver the same, or any part shall deliver thereof, to any other person to be manufactured (without the the same to consent of the owner thereof;) or if any carrier, or other per- any other per-fon employed to deliver any such materials to any workman, to the consent of be prepared or wrought up, shall designedly deliver the same to the owner, etc. any other person than the person to whom such materials were he shall be liaordered or intended to be delivered by the owner thereof; all and ble to the same every person and persons offending in any of the cases aforesaid, persons negshall, for every such offence, be liable to prosecution, in the same lecting to permanner, and to the same punishment, as is by this act directed form their in respect to persons taking in any of the said materials in order work, etc. to work up, and afterwards wilfully neglecting or refusing the performance of their work for the space of time aforesaid.

X. And whereas it frequently happens that materials used in the Preamble. manufactures before mentioned, are found, or known to be concealed in the possession of persons who have received the same, knowing them to be purloined or embezzled, or of persons known not to be entitled to dispose of the same; and whereas the discovery and conviction of the purloiners and embezzlers, buyers and receivers, of Such materials, is full of difficulty, from the close and clandestine manner in which the offence is committed; and there is still greater difficulty in proving whose property such materials are; and it would tend to the discouragement and Suppression of such offences, if the discovery and conviction of such offenders were rendered more easy: and whereas, by the faid recited att of the twenty-second year of his late majesty King George the Second, justices of the peace, after conviction of any offender for purloining or embezzling the said materials, or for buying or receiving the same, are authorised to grant warrants for searching the houses and other places of the persons so convicted, but no such authority is given before conviction, nor in any other house or place, except such as belongs to a person convicted;

ceiving com. plaint on oath, are suspected to be concealed in any house, etc. may grant a wairant for fearching the fame.

How persons shall be punished, in whole pollelfion fuch materials thall be found.

Peace-officers in towns corporate, etc. may apprehend all per. of having or carrying, after fun-fet. any materials fufpected to be

Justices, on re convicted; be it therefore further enacted, That it shall and may be lawful for any two justices of the peace of any county, riding, division, city, liberty, town, or place, upon complaint made to zled materials them, upon oath, by any one credible person, or (being of the people called Quakers) upon solemn affirmation, that there is cause to suspect that any such purloined or embezzled materials, whether mixed or unmixed, wrought or unwrought, are concealed in any dwelling-house, out-house, yard, garden, or other place or places, by virtue of a warrant under their hands and feals, to cause every such dwelling house, out-house, yard, garden, or place, to be searched in the day-time: and if any such materials, suspected to be purloined or embezzled, shall be found therein, to cause the same, and the person or persons in whose house, out-house, yard, garden, or other place, the same shall be found, to be brought before any two justices of the peace for the fame county, riding, division, city, liberty, town, or place; and if the faid person or persons shall not give an account, to the fatisfaction of such justices, how he, she, or they came by the fame, then the said person or persons so offending, shall be deemed and adjudged guilty of a misdemeanor, and shall be punished in manner herein-after mentioned, although no proof shall be given to whom such materials belong.

XI. And be it further enacted, That every peace-officer, constable, headborough, or tythingman, in every county, city, town corporate, or other place, where there shall be officers, and every beadle within his ward, perifh, or diffrict, and every watchman, fons suspected during such time only as he is on his duty, shall and may apprehend, or cause to be apprehended, all and every person or persons who may reasonably be suspected of having or carrying, or any ways conveying, at any time after fun-fetting and before fun-rifing, any of fuch materials suspected to be purloined or purloined, etc. embezzled, and the same, together with such person or persons, as foon as conveniently may be, convey or carry before any two justices of the peace for the county, riding, division, city, liberty, town, or place, within which the suspected person or persons shall be apprehended; and if the person or persons so apprehended in conveying any such materials, shall not produce the party or parties duly intitled to dispose thereof, from whom he, the, or they bought or received the same, or some other credible witness, to testify upon oath, or (being of the people called Quakers) upon foleinn affirmation, to the sale or delivery of the faid materials (which oath or affirmation respectively such justices are hereby impowered to administer) or shall not give an account, to the satisfaction of such justices, how he, she, or they came by the same; then the said person or persons so apprehended thall be deemed and adjudged guilty of a misdemeanor, and be punished in manner herein-after mentioned, although no proof shall be given to whom such materials belong.

XII. Provided always, and be it further enacted, That in either of the two cases last before mentioned, when any person or persons, who shall be brought before any two justices of the

full.ces may, at the request of perforis brought be-



# 1777.] Anno decimo septimo Georgii III. c. 56:

peace, shall request of such justices to appoint a reasonable time fore them, to produce the person or persons duly intitled to sell or dispose of appoint a reathe same, of or from whom he, she, or they bought or received to produce the the same, or some one or more credible witness or witnesses persons intito prove the sale or delivery thereof; then, and in such case, it tled to dispose shall and may be lawful for the said justices, and they are hereby of the mateauthorised and required to appoint such reasonable time as afore- rials, etc. faid, and to iffue out a summons to the constable or other peace officer of the parish or place where such person or persons, or fuch witness or witnesses, shall respectively reside, requiring him. her, or them to appear before two or more justices, at such time and place as shall be so appointed by such justices, in order to be examined and give evidence on oath, or (being of the people called Quakers) solemn affirmation, of the several matters aforefaid; but such person or persons, at the time of making such on the perrequest, shall enter into a recognizance, with or without surety sons making or sureties, as such justices shall think proper, for his, her, or such request, their appearance before them, at the time so to be set, or, for a recogniwant of such recognizance as aforesaid, shall be committed until zance, etc. .the time that shall be set or appointed by the said justices for the appearance of such party or parties, witness or witnesses; and if at fuch appointed time fuch person or persons shall be convicted of any of the offences aforesaid, then, and in such case, he, she, or they, shall suffer such punishment as is herein-before directed to be inflicted on persons guilty of such offences.

XIII. And be it further enacted, That where any person or On any person persons shall be convicted of a misdemeanor in either of the being convict-two cases last before mentioned, it shall and may be lawful for meanor, as the justices before whom the conviction shall be, to cause the aforesaid, the said materials so sound or seized as aforesaid, to be deposited in materials so the hands of the churchwardens or overfeers of the poor of the found shall be place where such materials shall be found or seized, or in any the hands of other convenient place, for any time not exceeding thirty days; the churchand in the mean time to order the faid churchwardens and over- wardens, etc. feers of the poor, or one of them, to infert an advertisement in

some one or more of the publick newspapers usually published or circulated in or near such place, or otherwise to cause notice to be given by some publick crier, and by fixing on the church or chapel door notice describing such materials, and where the same are so deposited, to the end that persons having lost such materials, or any reputable person or persons in their behalf, may come and claim the same: and in case any person or persons can If any person prove his, her, or their property in the said materials upon oath, can prove his or (being of the people called Quakers) upon his, her, or their property in the faid matefolemn affirmation, to the satisfaction of any two justices of the rials, they peace for such county, riding, division, city, liberty, town, or shall be deliplace, then such justices thall order restitution of such materials vered to him. to the owner or owners thereof, after paying the reasonable on paying the charges of removing, depositing, and giving publick notice of charges of rethe same; but if, before the end of the said thirty days, no per- But if no perfon or persons shall come and prove his, her, or their property son prove his

in property in

them, they shall be fold, etc.

Penalty on persons having in their possession materials suspected to be purloined, etc.

Forfeitures may be levied by diffress.

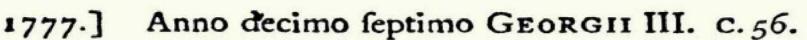
On failure of dittress, offender to be committed. Anno decimo septimo Georgii III. c. 56. [1777.

in fuch materials, nor any reputable person or persons on his, her, or their behalf, then the said justices shall order and direct the same to be sold for the best price that can reasonably be had, and after deducting such charges as aforesaid, together with the charges of sale, one moiety of the money arising from such sale shall be given to the person or persons, or either of them, who shall apprehend or prosecute the offender or offenders guilty of either of the misdemeanors aforesaid, as the said justices shall appoint; and the other moiety thereof, either to and amongst the poor of the parish, town, or place, where the conviction shall shall be, or to such publick charity or charities as the justices

convicting shall appoint.

XIV. And be it further enacted, That every person deemed and adjudged guilty of a misdemeanor, in having in his or her possession any materials suspected to be purloined or embezzled, and not producing the party or parties being duly intitled to difpose of the same, of whom he or she bought or received the same, nor giving a satisfactory account how he or the came by the same; or of a misdemeanor in having, carrying, or conveying, of the faid materials suspected to be purloined or embezzled, and not producing the party or parties being duly intitled to difpose of the same, of whom he or she bought or received the fame, nor any credible witness to testify upon oath, or (being of the people called Quakers) upon folemn affirmation, the sale or delivery thereof, nor giving a fatisfactory account how he or the came by the same, (as the case shall be) shall, for every such misdemeanor, forfeit, for the first offence, the sum of twenty pounds; and for the second offence, the sum of thirty pounds; and for every subsequent offence, the sum of forty pounds: all which said respective forfeitures shall and may be levied by distress and sale of the goods and chattels of every such offender (rendering to him or her the overplus, after charges of the faid diffress and sale deducted) by warrant under the hands and seals of the justices before whom such offender shall be deemed and adjudged guilty; of which forfeiture, one moiety shall be paid to the informer, and the other moiety thereof to and amongst the poor of the parish, town, or place, where such conviction shall be, or to fuch publick charity or charities as the justices convicting shall appoint; and if no sufficient distress shall be found whereon to levy the faid respective forfeitures, then the said justices shall and may commit every such offender, so respectively deemed and adjudged guilty as aforesaid, to the common gaol, or other prison, or house of correction, within his or their jurisdiction, without bail or mainprize, for the space of one month, for the first offence; and for the second offence, for the space of two months; and for every subsequent offence, for the space of six months.

XV. And whereas it sometimes happens, by occasion of the very long detention of such materials as aforesaid, delivered out to journey-men or other persons employed to work up the same, it cannot be known to the master or owners of such materials, whether the same may have been pursoined or embezzied, or whether the said materials are wholly



or in part wrought or begun to be wrought, or in what state or condition fuch materials may be: for remedy whereof, be it further enacted, That, from and after the faid first day of July, one thou. Owners of fand seven hundred and seventy-seven, it shall be lawful for the materials deowner or owners of any such materials, from time to time, as journeymen, occasion shall require, to demand entrance, and enter, at all sea-etc. to be fonable hours in the day-time, into the shops or outhouses of worked up, of the said materials, or other place or places where the work hours, enter shall be carried on, and there to inspect the state and condition their shops or of fuch materials; and in case of refusal, by any such person or outhouses, to persons so employed, to permit such entrance or inspection, he, inspect their she, or they so refusing, shall forseit and pay such sum of money, materials. The, or they so refusing, shall forseit and pay such sum of money, Penalty on not exceeding forty shillings, nor less than ten shillings, as the refusal of enjustices, before whom he, she, or they shall be convicted, shall trance, etc. think proper, to be recovered and applied in the same manner as is by this act directed for the misdemeanor of being in the possession of any such materials, without being able to account

fatisfactorily for such possession.

XVI. And whereas the faid recited act, of the twenty-second year of the reign of his late majesty King George the Second, contains no provision for the protection and recovery of the tools and implements with which any person or persons employed in preparing, working up, or manufacturing, such materials as aforesaid, shall be entrusted for that purpose; nor any provision in respect to the drugs and ingredients used in dying, preparing, or manufacturing, such of the said materials as are usually ayed, prepared, or manufactured; be it therefore enacted, That, from and after the faid first day of July, one thou- All penalties fand seven hundred and seventy-seven, every penalty or punish in the act 22 ment directed by, or other provision contained in, the said re-in this act, cited act, in respect to the said materials, so far as the said recit-relating to the ed act is not varied by this act, and all the provisions in this act faid materials. contained in respect to the said materials, shall extend and be shall be appliapplicable to any tool or tools, and implement or implements, tools, etc. with which any person or persons shall be entrusted for making, with which working up, or manufacturing, the faid materials, and also to any person is any drug or drugs, ingredient or ingredients, with which any entrutted for person or persons shall be entrusted, for the purpose of dying, ing the same. preparing, or manufacturing, such of the aforesaid materials as are usually dyed, prepared, or manufactured, in the same manner as if the faid tools and implements, drugs and ingredients, were particularly mentioned, both in the faid recited act and in the preceding provisions of this act.

XVII. And whereas journeymen dyers, servants, and apprentices, frequently abuse the trust reposed in them, by dying goods for their own profit, without the consent of their masters; be it therefore enacted, If any jour-That, from and after the said first day of July, one thousand neyman dyer, seven hundred and seventy-seven, if any person hired, retained, etc. shall, withor employed as a journeyman dyer, or as a servant or apprentice, out the conin the dying of any felt or hat, or any woollen, linen, fustian, sent of his cotton, leather, fur, flax, mohair, or silk materials, whether the any woollen,

same linen, etc.

Anno decimo septimo Georgii III. C. 56.

fame shall be wrought or unwrought, or shall be mixed or unmixed with other of the said materials, shall, without the consent of the master, person or persons by whom such journeyman, servant, or apprentice, shall be hired, retained, or employed, wilfully dye any of the said materials, whether wrought or unwrought, or mixed or unmixed with other of the said materials, or without fuch consent shall wilfully receive any such materials as aforesaid, for the purpose of dying the same, whether the same shall be dyed or prepared for dying, he or she so guilty of either of the he shall forfeit, said offences shall, for the first offence, forfeit the sum of ten shillings; and for the second offence, the sum of twenty shillings; and for every subsequent offence, the sum of forty shillings; or if any person shall procure any such materials as aforesaid, to be dyed by any person so hired, retained, or employed as a journeycure any such man, servant, or apprentice, without the consent of his or her master or employer, or shall offer any such materials to any such journeyman, servant, or apprentice, for the purpose aforesaid, he or she so offending, being thereof lawfully convicted, by the oath, or (being of the people called Quakers) affirmation, of one or more credible witness or witnesses, before two or more justices of the peace for the county, riding, division, city, liberty, town, or place, where the offence shall be committed, shall, for the he shall forfeit, first offence, forfeit the sum of five shillings; and for the second offence, the fum of twenty shillings; and for every subsequent offence, the sum of four pounds; and each of the said penalties shall be paid to the informer or informers; and in case of nonpayment on conviction, the person so convicted shall be committed, by the justices before whom the conviction shall be, to the common gaol or house of correction, to remain for any time not exceeding one month, as such justices shall order and

for the first offence, 10s.

or if any perfon shall promaterials to be to dyed,

for the first offence, 55. etc.

Inhabitants of any parish wherein any of the aforefaid offences shall to be deemed competent witnefics.

Juffice of peace, on complaint to him made upthis act, may iffue his warrant for apprehending the offender.

direct. XVIII. Provided always, and be it further enacted, That any inhabitant of any parish, township, or place, in which any offence shall be committed contrary to the act of the twelfth year of the reign of his late majesty King George the First, or contrary be committed, to the act of the twenty-second year of his late majesty King George the Second, or contrary to this act, shall be deemed a competent witness, notwithstanding his or her being an inhabitant of fuch parish, township, or place.

XIX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any one justice of the peace of any county, riding, division, city, liberty, town, or place, and he is hereby required, upon complaint to him made on oath of any upon oath, or (if the person complaining be of the people called offenceagainst Quakers) solemn affirmation, of any offence committed against this act, within the same county, riding, division, city, liberty, town, or place, to iffue his warrant for apprehending, and bringing before any two or more justices of the peace of the same county, riding, division, city, liberty, town, or place, the person or persons charged with such offence; and the justices before whom fuch person or persons shall be brought, are hereby authorised



## 1777.] Anno decimo septimo Georgii III. C.56.

and required to hear and determine the matter of such complaint, and to proceed to judgement and conviction thereupon.

XX. And whereas the said act, of the twenty-second year of the Preamble. reign of bis late majesty King George the Second, only gives an appeal from an order of any justice or justices of the peace to the general or general quarter sessions of the peace, where an order is made by any justice or justices of the peace, in the case of the buyer or receiver of fuch purloined or embezzled materials as aforesaid, and in respect to the sale or disposal of such materials found on searching by warrant, after any conviction for purloining or embezzling, or for receiving or buying such purloined or embezzled materials: and whereas it is thought more proper to give a right of appealing in the case of other orders of any justice or justices of the peace, to be made by force of an act, made in the twelfth year of the reign of his late majesty King George the First, (intituled, An act to prevent unlawful combinations of workmen employed in the woollen manufactures, and for better payment of their wages), and of the faid att, and also in the case of all orders to be made by any justices of the peace under this act; be it therefore further enacted, That if any person shall Persons agthink himself or herself aggrieved by the order or judgement of grieved by the any two justices before whom he or she shall have been con- two justices, victed of any of the offences in the faid acts of the twelfth year etc. may apof the reign of King George the First, and the twenty-second year peal to the of the reign of King George the Second, or in this act, such per- quarter felfon may appeal, and the faid justices are hereby required to make known to fuch person, at the time of such conviction, his or her right to appeal, to the next general or general quarter fessions of the peace to be holden for the county, riding, division, city, liberty, town, or place, where such conviction shall have been made, (such person, at the time of such conviction, giving to giving notice fuch justices, notice in writing of his or her intention to appeal, to such justices and also entering into a recognizance, at the time of such notion to appeal, to such justices of their intentice, with sufficient sureties, conditioned to try such appeal, and and entering to abide the judgement of, and pay such costs as shall be awarded into recogniby, the justices at such sessions); but if the person giving such zance, etc. notice of appeal shall not, at the time of giving such notice, enter into fuch recognizance as aforesaid, then the justices, to whom such notice of appeal shall have been given, shall and may commit such person or persons to the house of correction, or other publick prison, of such county, riding, division, city, liberty, town, or place, there to remain until the faid next general or general quarter fessions of the peace to be holden in and for fuch place, unless such recognizance shall be sooner entered into: and the faid justices before whom such conviction shall have been made, or any other two or more justices of the same county. riding, division, city, liberty, town, or place, are hereby impowered and required to take, and the justices at such sessions are hereby authorised and required, upon due proof made of such notice of appeal, either by the acknowledgement of the justices to whom the fame shall have been given, or otherwise, to hear

and



How the de-Inquent shall be punished, in cale the feffions confirm his conviction.

Part of an act of 23 Geo. 2. repealed.

How justices conviction of offenders against the Lud act of 22 Geo. 2. OF this act.

Anno decimo septimo Georgii III. C. 56. [1777. and determine the matter of the faid appeal, and to award fuch cofts as to them shall appear just and reasonable to be paid by either party: and if, upon the hearing of fuch appeal, the judgement of the justices before whom the appellant shall have been convicted, shall be affirmed, such appellant shall, within forty-eight hours next after the same shall be so affirmed, suffer such corporal punishment as shall have been directed to be inflicted upon him or her for the offence whereof he or she shall have been convicted, or shall immediately pay the fum which he or she shall have been adjudged to forfeit, together with such costs as the justices in the said fessions shall award to be paid by him or her, for defraying the expences sustained by the defendant or defendants in such appeal; r in default of making such payments shall be committed to the common gaol, or house of correction, in the same manner, and for the same time, to be computed from the affirmance of fuch conviction, as shall be directed by the original judgement of conviction, unless the person or persons so convicted shall have been imprisoned under the original conviction, in which case the time for which such person or persons shall have been so con-

fined shall be included in the order of confirmation. XXI. And whereas an all, passed in the twenty-third year of the reign of his late majesty King George the Second, (intituled, An act for the more effectually punishing of persons convicted of seducing artificers in the manufactures of Great Britain or Ireland, out of the dominions of the crown of Great Britain; and to prevent the exportation of utenfils made use of in the woollen and filk manufactures, from Great Britain or Ireland into foreign parts; and for the more easy and speedy determination of appeals, allowed in certain cases by an act made in the last session of parliament, relating to persons employed in the severa! manufactures therein mentioned,) prescribes a form for conviction of the several offences mentioned in the faid recited act of the twenty-second of George the Second; but fuch form is not adapted to the faid lastmentioned act, as altered by this act; and it may be useful to have one general form for the Said recited att of the twenty-second of George the Second, and this act; be it therefore further enacted, That in respect to all offences which from and after the said first day of July, one thousand seven hundred and seventy-seven, shall be committed against the said recited act of the twenty-second of George the Second, so much of the said act of the twenty-third of George the Second, as prescribes a form of conviction for offences against the said act of the twenty-second of George the Second. shall be repealed; and that, from and after the said first day of to proceed for July, one thousand seven hundred and seventy-seven, the justices before whom any offender thall be convicted of any offence, either against the said act of the twenty-second of George the Second, or varied by this act, or against this act, shall cause the conviction to be certified to the next general or general quarter fession of the peace to be held in and for the county, riding, divifion, city, liberty, town, or place, where fuch conviction was made,



Anno decimo septimo GEORGII III. c. 56. 1777-3 to be filed with the records of fuch festions; and such conviction shall and may be drawn up and written on parchment, and certified in the following form of words, as far as the name of the person and the nature of the case will admit of, (that is to fay):

Middlesex (or) DE it remembered, That on the Form of con-D day of in the year of our viction, any other place, as the Lord case shall be) before us A. B. was convicted of his Majesty's justices of the peace in and for the faid county of to wit. or, for the riding of the faid county of or, for the city, liberty, town, or place, aforesaid, in (as the case shall be) the faid county Here specify the offence, and when and where the same was committed.]

> Given under our hands and feals, the day and year first above written.

XXII. Provided always, and be it further enacted, That no Proceedings order made, touching or concerning any of the matters in this not to be act contained, or any proceedings to be had touching the con- quashed for viction of any offender or offenders against the said act of the twenty-second of George the Second, or this act, shall be quashed for want of form, or be removed or removeable, by Certiorari, nor removed into his Majesty's court of King's Bench; and the justices before whom such convictions shall be had, shall cause the same, drawn up in the form aforesaid, to be fairly written upon parchment. and transmitted to the next general or general quarter sessions of the peace to be held for the county, riding, division, city, liberty, town, or place, wherein such conviction was had, to be filed and kept amongst the records of the said general or general quarter sessions; and in case the person or persons so convicted shall appeal from the judgement of the said justices to the said general or general quarter fessions, the justices on such general or general quarter sessions are hereby required, upon receiving the faid conviction drawn up in the form aforesaid, to proceed to the hearing and determination of the matter of the faid appeal. according to the direction of the faid act, any law or usage to the contrary notwithstanding.

XXIII. Provided also, and be it further enacted, That no- This act not thing herein contained shall extend, or be construed to extend, to repeal any to repeal any former law or laws now in being, for the punish- except as ment of any of the offences herein above specified, except so herein partifar as is particularly expressed by this act; and no offender who cularly exshall have been proceeded against, upon or by virtue of this act. presed; for any of the offences herein specified, shall for the same offence be afterwards proceeded against upon or by virtue of any such former law or laws.

XXIV. Pro-



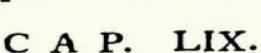


## 1777.] Anno decimo septimo Georgii III. c. 58.

and were thereby declared to have, the benefit and protection of the faid former att, and that att, for the term therein-after mentioned, in like manner as if such print had been graved or drawn from the original design of such graver, etcher, or draught sman: and whereas the faid acts have not effectually answered the purposes for which they were intended, and it is necessary, for the encouragement of artists, and for securing to them the property of and in their works, and for the advancement and improvement of the aforesaid arts, that such further provisions should be made as are herein-after mentioned and contained; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twenty-fourth day After June 24; of June, one thousand seven hundred and seventy-seven, if any 1777, if any engraver, etc. engraver, etcher, printseller, or other person, shall, within the shall, within time limited by the aforesaid acts, or either of them, engrave, the time lietch, or work, or cause or procure to be engraved, etched, or mited by the worked, in mezzotinto or chiaro oscuro, or otherwise, or in aforesaid acts, any other manner copy in the whole, or in part, by vary-etch, etc. any ing, adding to, or diminishing from, the main design, or shall print, without print, reprint, or import for sale, or cause or procure to be the consent of printed, reprinted, or imported for sale, or shall publish, sell, or the proprieotherwise dispose of, or cause or procure to be published, sold, or be liable to otherwise disposed of, any copy or copies of any historical print or damages, and prints, or any print or prints of any portrait, conversation, land-double cofts. scape, or architecture, map, chart, or plan, or any other print' or prints whatfoever, which hath or have been, or shall be, engraved, etched, drawn, or defigned, in any part of Great Britain, without the express consent of the proprietor or proprietors thereof, first had and obtained in writing, signed by him, her, or them respectively, with his, her, or their own hand or hands, in the presence of, and attested by, two or more credible witnesses, then every such proprietor or proprietors shall and may, by and in a special action upon the case, to be brought against the person or persons so offending, recover such damages as a jury on the trial of such action, or on the execution of a writ of inquiry thereon, shall give or affels, together with double costs of fuit.

### CAP. LVIII.

An act for enlarging the publick gaol of the county of Warwick, and for other purposes therein mentioned.



An ael to repeal an ael, made in the twelfth year of the reign of King Charles the Second, intituled, The master of the rolls impowered to make leases for years, in order to new-build the old houses belonging to the Rolls; and for the better regulating the method of granting leases of the said rolls estate for the suture; and for making compensation to the earl of Macclessield, and sir Thomas Sewell, for their beneficial rights and interests in certain leases made of the rolls estate; and for regulating the method of making leases of the said estate for the suture.

Preamble.

Act 12 Car.II.

THEREAS by an cell of parliament, made in the twelfth year of the reign of King Charles the Secend, intituled, An act impowering the master of the rolls, for the time being, to make leases for years, in order to new-build the old houses belonging to the rolls; after thereby impowering the master of the ro is for the time being, and his successors masters of the rolls, to grant building-leases for one-and forty years, or for any lesser term, of the said rolls houses and premises, or any part thereof (the chapel of the rolls, with a convenient manfion-bouse, court-yard, garden, Rable, coach-house, and other out-houses and buildings, fit for the use and babitation of the master of the rolls, only excepted) it is provided, that the master of the rolls for the time being, or any succeeding master of the rolls, after the premises should have been once letten according to the power given as aforesaid, should not make or grant any new or concurrent leases until within seven years of the expiration of the lease then in being, nor for any lesser rent than was reserved upon the former lease, nor for any longer term than for the term of twenty-one years from the making such new lease: and whereas, since the newbuilding of the said houses and premises, under leases granted by the masters of the rolls for the time being, by virtue of and under the power given them by the said all for that purpose, the said bouses and premises (except the said chapel of the rolls, and other the said excepted premises) have, from time to time, been letten and demised by the masters of the rolls for the time being, by leases by them respectively granted thereof for the term of twenty-one years, at and under larger yearly rents than were reserved by the said former leases: all which faid yearly rents have been and are reserved and made payable to the mister of the rolls granting such leases, and his successors; and such yearly rents have for many years last past amounted, and do now amount, only to the yearly sum of one hundred and thirty-five pounds, but the improved rents of the said houses do now amount to the sum of one thousand nine hundred and seventy seven pounds; the beneficial right and interest in and to which said improved rents belonging to the master of the rolls granting such original leases, his executors, administrators, and assigns, as his private property, subject to, and after a deduction only of the said small yearly rents: and whereas, by means and in consequence of the exercise of such the right of granting and renerving the leajes of the faid houses and premises at such small rents as aforejaid by the majter of the rolls for the time being, the succeeding mafter



1777.] Anno decimo septimo Georgii III. c. 59. master or masters of the rolls is or are deprived of the benefit of the improved rents of the premises, which, after the death of the master of the rolls by whom such leases were granted, accrue and belong to bis family, and the income intended for the support of the office of the master of the rolls is rendered in a great measure precarious and un-certain: and whereas sir Thomas Sewell, the present master of the Sir Thomas rolls, is now possessed or intitled to himself, his executors, adminis- Sewell, mastrators, and assigns of or to the beneficial right and interest of and in ter of the several leases by him made and granted of the said houses and pre-titled to cermises, by virtue of and according to the power vested in him by the tain beneficial Said act of the twelfth year of King Charles the Second, and the im- rights in feof such leases, on the fixth day of January, one thousand seven hun- bim, etc. dred and seventy-seven; and also of and in such other leases, of the said houses and premises, or any part thereof, as he may at any time or times hereafter, so long as he shall continue master of the rolls, make or grant thereof, according to the said power, subject to the right and interest of the right honourable Thomas earl of Maccles- and the earl field therein, who, as residuary legatee of sir Thomas Clarke de- of Macclesceased, late master of the rolls, is intitled, under leases granted of the improved said bouses and premises respectively by the said late master of the rents of cerrolls, to the improved rents of some of the said houses and premises, tain houses. amounting together to the yearly sum of one thousand four bundred and fifty-six pounds, part of the said yearly sum of one thousand nine hundred and seventy-seven pounds, down to the fifth day of January, which will be in the year of our lord one thousand seven bundred and eighty-three, subject to and after a deduction and payment of the small rents reserved on the leases of those houses respectively, amounting together to the yearly sum of ninety pounds, part of the said yearly sum of one hundred and thirty-five pounds; and is also intitled to the improved rents of some other of the said houses and premises, amounting together to the yearly sum of four hundred and Seventy-six pounds, other part of the Said yearly sum of one thousand nine hundred and seventy-seven pounds, down to the twentieth day of September, which will be in the year of our lord one thousand Seven hundred and eighty-five, Subject to and after a deduction and payment of the small rents reserved on the leases of those houses re-Spectively, amounting together to the yearly sum of forty-two pounds, other part of the said yearly sum of one hundred and thirty-five pounds; but as to one other of the said houses, the small rent whereof is the yearly sum of three pounds, residue of the said yearly sum of one hundred and thirty-five pounds, and the improved rent whereof is the yearly sum of forty-five pounds, residue of the said yearly sum of one thousand nine hundred and seventy-seven pounds, subject to a deduction and payment of the said small yearly rent of three pounds, the faid earl of Macclesfield has already parted with, and fold his right and interest therein, in order that that house might be (as it bas ever since been, and now is) made use of by the clerk of the rolls chapel, during the time the faid earl of Macclesfield's right and interest therein would have continued; (that is to fay) down to the said fifth day of January, one thousand seven hundred and eighty-Kk 2 three

of Maccles-

field and fir

willing to ac-

cept an equi-

their respec-

rights, etc.

valent for

Thomas Sewell are

Anno decimo septimo Georgii III. C. 59. [1777.

three, for the purpose of copying therein the records deposited in the fuid rolls chapel: and whereas it is inconvenient, and highly improper, that the master of the rolls for the time being should not, at the time be holds and exercises the Said office, receive and enjoy so considerable a part of the income of the Jaid office, towards the support of the rank and dignity thereof; and it has therefore been proposed to give to the faid earl of Macclesfield, and to the faid fir Thomas Sewell respectively, an equivalent for such their several and respective beneficial rights and interests as aforesaid, under the said several leases granted by the said master of the rolls now subsisting, and that the faid master of the rolls shall relinquish and give up all right and power of granting any more such leases for the future, by virtue of and under the faid act of the twelfth year of King Charles the Second, in order that the leases of the said houses and premises, and the right and power of granting the same for the future, may be properly regulated, so that the improved rents of the said houses and premises may for the future, as they shall become due, be received and enjoyed by the present and successive masters of the rolls for the time being, subject nevertheless to the provisions hereby made thereout, for the repairs, maintenance, and support of the said houses and premises The faid earl (except as aforefaid,) and for other the purposes herein-after mentioned; and the said earl of Macclesfield, and the said sir Thomas Sewell respectively, are ready and willing to accept of an equivalent for such their several and respective beneficial rights and interests as aforesaid; and the said sir Thomas Sewell also to relinquish and give up all right and power of granting any leases of the said houses and premises for the future, under and according to the said att of the twelfth year of King Charles the Second: and whereas such the tive beneficial beneficial right and interest of the said earl of Macclesfield, in the suid houses and premises, appears, on and according to a fair and just estimate and valuation thereof, to be of the value of eight thousand four bundred forty-nine pounds, Seven Shillings, and nine-pence halfpenny, from the fifth day of July, one thousand seven hundred and seventy-seven; and such the beneficial right and interest of the said fir Thomas Sewell, in the faid houses and premises as aforesaid, under the said several leases granted by him and now subsisting, and his present right and power of granting such leases down to and until the jaid fifth day of July, one thousand seven hundred and seventy-seven, exclusive of any right and power of granting any future leases, under and according to the said all of the twelfth year of King Charles the Second, subsequent to, or to take effect from and after the said fifth day of July, one thousand seven hundred and seventy-seven, which right and power of granting such future leases he relinquishes and gives up, appears, on a fair and just estimate and valuation thereof, to be of the value of twelve thousand five hundred and eighty pounds, three shillings and one penny; the said two sums of eight thousand four bundred forty-nine pounds, seven shillings and nine-pence halfpenny, and twelve thousand five hundred and eighty pounds, three shillings, and one penny, amounting together to the sum of twenty-one thousand and twenty-nine pounds, ten Shillings, and ten-pence halfpenny: and

rulereas, by four several acts of parliament, passed in the twelfth year



# 1777.] Anno decimo septimo Georgii III. c. 59.

of the reign of his late majesty King George the Second, and in the fourth, fifth, and ninth years of the reign of his present Majesty, Several sums of money, part of the money belonging to the suitors of the high court of chancery, lying dead and unemployed in the bank of England, have been placed out on government or parliamentary Jecurities, and specific parts of the interest arising therefrom have been appropriated for augmenting the income of officers belonging to the Said court; and whereas, by an act puffed in the fourteenth year of Act 14 Geo. the reign of his present Majesty, intituled, An act for rebuilding III. recited. the office of the fix clerks of the King's court of chancery; and for erecting offices for the register and accountant-general of the faid court, for the better preserving the records, decrees, orders, and books of account, kept in fuch offices; it was enacted (among other things,) that out of the securities purchased with the surplus money, placed to the account of interest arising from monies placed out in pursuance of the said att of the twelfth year of his late majesty King George the Second, and out of the interest produced and to be produced from such securities; and also out of the securities purchased with the surplus-money, placed to the account of interest arising from monies placed out in pursuance of the said act of the fifth year of the reign of his present Majesty, and out of the interest produced and to be produced from such securities; and out of the surplusinterest which should arise or be produced from securities purchased in pursuance of the said several acts of the twelfth year of the reign of his faid late Majesty, and of the fourth, fifth, and ninth years of the reign of his present Majesty: and out of the interest which should arise or be produced from securities to be purchased in pursuance of the faid att of the fourteenth year of the reign of his present Majesty; fuch fum or fums of money, as the lord high chancellor of Great Britain, or the lord keeper, or the lords commissioners for the custody of the great seal of Great Britain, for the time being, should, in his and their discretion, deem necessary, should be paid by virtue of any order or orders of the faid court; and be applied, under the direction of the said court, in the first place in paying and defraying the charges and expences attending the passing and obtaining of that all; and then in rebuilding the faid office called The Six Clerks Office, with the offices belonging thereto, and in purchasing ground and houses for that purpole, if any should be deemed necessary by the faid court; and in providing a proper place for transacting the business of the said fix clerks office, during the time such office sould be rebuilding; and the fum of ten thousand pounds, in erecting proper and convenient offices for the said register and accountant-general of the said court, separate and detached from each other, and in purchasing such ground and houses as should be necessary for those purposes; and for preserving the ancient books of entries of decrees and orders of the fuld court: and by an act, paffed in the fifteenth year of his present Majesty, intituied, An Acts 15. Geo. act for vesting part of the garden of the society of Lincoln's Inn, III. recited. in the county of Middiesex, in the accountant-general of the court of chancery, and his successors, for ever, for the purpose of erecting thereon offices for the accountant-general, and for the register of the faid court; it was enacted, that the charges and extences Kk3



Another act 1 5 Geo. III. recited.

Anno decimo septimo Georgii III. c. 59. [1777-

expences attending the passing and obtaining that all sould be paid and defrayed out of the same funds, and in like manner as the charges and expences attending the passing and obtaining the said all of the fourteenth year of the reign of his present Majesty, are thereby directed: and whereas, by one other all, passed in the said fifteenth year of bis present Majesty, intituled, An act for applying the funds provided for rebuilding the offices of the fix clerks of the King's court of chancery, by an act made in the fourteenth year of the reign of his present Majesty, intituled, An act for rebuilding the office of the fix clerks of the King's court of chancery; and for erecting offices for the register and accountant-general of the Said court, for the better preserving the records, decrees, orders, and books of account, kept in such offices; in building offices for the said fix clerks in the gardens of Lincoln's Inn, instead of rebuilding the present six clerks office in Chancery-lane; and for other purposes; it is enacted, That, out of the securities purchased with the Surplus-money mentioned in the faid recited att, and out of the interest produced and to be produced from such securities, and out of surplusinterest produced and to be produced from securities purchased in pur-Suance of the several acts in the said act of the fourteenth year of his present Mojesty mentioned, and out of the interest produced or to be produced from securities purchased in pursuance of the said act, fuch sum and sums of money as the lord high chancellor of Great Britain, or the lord keeper, or the lords commissioners for the custody of the great Seal of Great Britain for the time being, should in his and their discretion deem necessary, should be paid by virtue of any order or orders of the said court, and be applied, under the direction of the said court, in paying and defraying the charges and expences attending the passing and obtaining of that act, and in purchasing the said ground belonging to the society of Lincoln's Inn therein mentioned and described, and in building thereon an office for the faid fix clerks, and the offices thereto belonging, as well as in carrying into execution the purposes of the said act of the fourteenth year of his present Majesty, except so much thereof as relates to the rebuilding of the said fix clerks office in the place where the same now flands, and except so far as the said act of the fourteenth year of his present Majesty is thereby altered and varied: and whereas the ground for building the offices for the fix clerks, and for the faid register, and for the accountantgeneral of the said court of chancery, has been purchased, and the faid offices for the register and the accountant-general have been erected and so far completed and finished, that the business of those offinow is and has for some time been carried on and transacted therein, and great progress has been also made in erecting and building the said office for the fix clerks, and the offices thereto belonging, and the Same will also in a very short time be completed; and all the several purposes of the said three acts of the fourteenth and fifteenth years of his present Majesty have been in a great measure answered and satisfied by and out of the funds provided for the same by those acts, and will in a very short time be fully answered and satisfied thereout except that the said sum of ten thousand pounds, mentioned in the Suid act of the fourteenth year of his present Majesty bath been found



# 1777.] Anno decimo septimo Georgii III. c. 59.

not to be fully sufficient to answer and satisfy the purposes intended thereby: and whereas the furplus-interest arising from monies placed out in pursuance of the said all of the twelfth year of his late Majesty King George the Second, and the surplus-interest arising from monies placed out in pursuance of the said act of the fifth year of his present Majefly, and the interest arising from monies placed out in pursuance of the faid all of the fourteenth year of his present Majesty, amount together to the fum of two thousand five hundred eighty-two pounds, eighteen shillings a year, and is unappropriated, except only as to what still remains to be raised and paid thereout to answer and satisfy the purposes of the said three several acts of the fourteenth and fifteenth. years of his present Majesty; and it is computed, that in case the said two sums of eight thousand four bundred forty-nine pounds, seven Shillings and nine-pence halfpenny, and twelve thousand five bundred eighty pounds, three shillings, and one penny, amounting together to the Jum of twenty-one thousand and twenty-nine pounds, ten shillings, and ten-pence halfpenny, and the money to be applied in paying and defraying the charges and expences of and attending the passing and obtaining of this act, be borrowed on a mortgage of the faid rolls houses, Such mortgage may be discharged, by and out of the said funds of interest and surplus-interest, in the space of ten years, or thereabouts, besides what may appear to be now still further wanting to be paid thereout, for fully answering the several purposes of the said att of the fourteenth, and two several acts of the fifteenth years of his present Majefly: and whereas a very confiderable fum of money, belonging to the fuitors of the faid court of chancery, is now, and has been for many years, lying dead and unemployed in the bank of England; be it therefore enacted by the king's most excellent Majesty, by and with the advice and confent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that out of the cash belonging to the sui- Out of the tors of the faid court of chancery, which now lies, or shall here-dead in the after lie dead and unemployed in the bank of England, there bank, b-longshall be paid, by virtue of an order or orders of the faid court of ing to the chancery to be made for that purpose, such sum of money as suitors in the the lord high chancellor of Great Britain, or the lord keeper, or chancery, the lords commissioners for the custody of the great seal of Great there shall be Britain, for the time being, shall, in his or their discretion, deem paid, by order necessary, and be applied, under the direction of the said court, of the said in paying and defraying the charges and expences of and at-court, the extending the passing and obtaining of this act; and that out of the taining this faid cash, belonging to the suitors of the said court of chancery, act; which now lies, or shall hereafter lie dead and unemployed in also 8. 4491. 75. the Bank of England, there shall be paid, by virtue of an order 9d. haltpenny or orders of the said court of chancery to be made for that pur- to the earl of Macclesfield, pose, to the right honourable the said earl of Macclesfield, his executors or administrators, the sum of eight thousand four hundred forty-nine pounds, seven shillings, and nine-pence halfpenny, as an equivalent, and in full fati-faction of and for all his right, title, and interest, in and to the faid rolls houses and premises, and the rents and profits thereof, from and sub-

Kk4

fequent

3s id to fir Thomas Sewell,

in full fatisfaction of their respective interells in the rolls houles, etc u der the faid act 12 Car. II.

Anno decimo septimo Georgii III. c. 59.

and 12, 580 l. sequent to the fifth day of July, one thousand seven hundred and feventy-feven; and to the faid fir Thomas Sewell, his executors or administrators, the sum of twelve thousand five hundred eighty pounds, three shillings, and one penny, as an equivalent, and in satisfaction of and for all his right, title, and interest, in and to the said rolls houses and premises (except as aforesaid,) and the rents and profits thereof, under or by virtue of any lease or leases by him granted or made of the said houses and premises, or any of them, pursuant and according to the said act of the twelfth year of King Charles the Second, except such provision as is hereby made for him and the succeeding masters of the rolls, out of the improved rents and profits of the faid houses and premises which shall accrue and become due from and subsequent to the said fifth day of July, one thousand seven hundred and seventy-seven, (except as to what may be due to him or them from the said earl of Macclessield, his executors, administrators, or assigns, or the lesses in such leases, their executors, administrators, or assigns, for or any ways on account or in respect of the said small yearly rents, amounting together to the faid yearly sum of one hundred and thirty-five pounds, upon, or previous to, the said fifth day of July, one thousand seven hundred and seventy-seven;) and upon payment of the said several sums of eight thousand four hundred fortynine pounds, seven shillings, and nine pence halfpenny, and twelve thousand five hundred eighty pounds, three shillings, and one penny, to the said earl of Macclesfield, and the said fir Thomas Sewe'l respectively, all such their, and each of their right, title, and interest, of and in the said houses and premises, and the rents and profits thereof as aforesaid, (except as in and by this present act is mentioned and provided) shall cease and determine; and all leases granted by the said sir Thomas Sewell, as master of the rolls, under or by virtue of the said act of the twelfth year of King Clarles the Second, and now subfisting, shall from thenceforth be void and of no effect, and the faid act Car. II. to be of the twelfth year of King Charl's the Second be repealed.

Upon payment of the fums above mentioned, the act 12. rep aled; and all leases granted by virtue the eof pealed accordingly.

to be void. the earl of Macciesfield and fir Thomas Sewell, &c. are to be aded as a mortg g on to rolls houles

II. And it is hereby enacted, That the said act of the twelfth of King Charles the Second shall be and the same is hereby re-

III. And it is hereby enacted and declared, That the faid The said sums sum of eight thousand four hundred forty-nine pounds, seven to be paid to shilling, and nine-pence halfpenny, and twelve thousand five hundred eighty pounds, three shillings, and one penny, so directed to be paid to the said earl of Macclesfield and the said sir Thomas Sewell, as aforesaid, respectively, amounting together to the faid sum of twenty-one thousand and twenty-nine pounds, ten shillings, and ten pence halfpenny, and also such sum or fums as shall be paid out of the faid dead cash in the bank, for and to be applied in paying and defraying the charges and expences or and att nang the paffir, and obtaining this act as afereteid, are to be confidered a advanced and paid, and shall be so advanced and paid on the security of, and be a charge on,



# 1777.] Anno decimo septimo Georgii III. c. 59.

the faid rolls houses and premises (except as aforesaid) by way of mortgage, for the repayment thereof; and the said houses and premites thall stand and be a security for the repayment thereof accordingly, until the same shall be raised and satisfied in manner herein-after mentioned.

IV. And be it enacted by the authority aforesaid, That from After the purand after the time when the lord high chancellor of Great Bri-poles of the acts 14 & 15 tain, or the lord keeper, or the lords commissioners for the custody Geo. 3. shall be of the great feal of Great Britain, shall deem the purposes of the satisfied, cerfaid acts of the fourteenth and the fifteenth years of his present tain surplus-Majesty to have been fully satisfied, the surplus-interest arising, interests shall be applied to and which shall arise, from monies placed out in pursuance of the the dischargfaid act of the twelfth year of his late majesty King George the ing the sums Second, and the furplus-interest arising, and which shall arise, above menfrom monies placed out in pursuance of the said act of the fifth tioned. year of his present Majesty, and the interest arising, and which shall arise, from monies placed out in pursuance of the said act of the fourteenth of his present Majesty, shall and may, by an order or orders of the faid court of chancery to be made for that purpose, be appropriated and applied in and to the raising and discharging of the said sums of eight thousand four hundred fortynine pounds, seven shillings and nine-pence halfpenny, and twelve thousand five hundred eighty pounds, three shillings and one penny, and of fuch fum or fums of money as shall be paid and applied in paying and defraying the charges and expences of and attending the passing and obtaining of this act, as aforesaid. until the same shall be fully raised, made up, and completed; and which, when so raised, made up, and completed, shall be confidered to be, and shall be in full redemption of the said rolls houses and premises.

V. Provided always, and be it further enacted and declared, How the court That if at any time hereafter the whole, or any part of the faid of chancery to feveral sums so to be paid as aforesaid, out of the said dead cash, proceed, in shall be wanted to answer any of the demands of the suitors of sums to be the faid court of chancery before the same shall have been raised, paid out of made up, and completed, by and out of the faid funds of interest the faid dead and surplus-interest so appropriated, or to be appropriated, for wanted for the that purpose, as aforesaid; then, and in such case, the said court suitors of that of chancery may and thall, in a fummary way, direct the fame, court. or any part thereof, to be raised out of the said rolls houses and premises, or any part thereof, (except as aforesaid) in such manner as the court shall think proper, in order that the suitors of the faid court may, at all times, be paid their respective demands, out of the common and general cash belonging to such suitors.

VI. And whereas it is proper that some reasonable part of the rents and profits of the faid rolls houses, as the same shall from time to time accrue and become due and payable, Sould be appropriated for or towards keeping in repair, and properly supporting and rebuilding the faid houses and premises, or any of them, except and exclusive of the faid chapel of the rolls, and other the faid excepted premifes, as there

Anno decimo septimo Georgii III. c. 59.

The lord chancellor to appoint a receiver of the rents of the rolls houses,

with a falary

shall be difposed of.

Surplus to be paid into the bank in the name of the accountantgeneral, etc.

to be applied towards the repairs of the faid houses, etc.

Receiver to oath, to the accountantgeneral.

may be occasion, and that a receiver of the said rents and profits should be appointed for that purpose; be it therefore enacted by the authority aforesaid, That such person as the lord high chancellor of Great Britain, or the lord keeper, or the commissioners for the custody of the great seal, shall from time to time approve of and appoint, shall be receiver of the rents and profits of the faid houses and premises (exclusive of and except as aforesaid), with fuch falary to be paid to, or retained by him out of the faid not exceeding rents and profits, as the faid lord chancellor of Great Britain, 501. per ann. lord keeper, or lords commissioners of the great seal, shall direct, not exceeding the yearly fum of fifty pounds; fuch receiver first giving fecurity by recognizance with two fureties, or otherwife, How the rents as the said court shall direct; which receiver shall, out of the said rents and profits, pay the land tax, and also pay to the master of the rolls for the time being the clear yearly sum of one thoufand two hundred and fifty pounds, by two equal half-yearly payments, on the fifth day of January, and the fifth day of July, in each year; the first half-yearly payment to become due and payable on the fifth day of January, one thousand seven hundred and seventy-eight; and with such apportionment on the death of any master of the rolls, as in case of apportionment of rent on the death of tenants for life; and which apportionment shall take place, as well in case of leases to be granted in pursuance of the power hereby given of granting leafes not exceeding twentyone years to bind the successor, as of other leases granted or to be granted by any master of the rolls so dying, and which shall determine by his death; and the surplus of the said rents and profits, beyond and after payment of the faid receiver's salary, and the land tax, and such payment to the master of the rolls as aforesaid, shall, by virtue and in pursuance of any order or orders of the faid lord high chancellor of Great Britain, or the lord keeper, or the commissioners for the custody of the great seal, as aforesaid, for the time being, be paid into the bank of England, in the name and with the privity of the accountant-general of the high court of chancery, to be placed to an account to be intituled, The account of the rolls effate, in order to be paid and applied, in manner herein-after mentioned, in or towards the repairs and the support of the said houses and premises (exclusive of and except as aforesaid) and the rebuilding of the same, as there may at any time or times hereafter be occation, and infuring the faid houses and premises from fire, except such part or parts of the faid rents and profits as, by any fuch order or orders of the faid cour, shall be directed to be paid and applied by the receiver for those purposes, or any of them, without paying the same into the bank; and the said receiver shall, at the end of each and account, upon every year (or oftener if required and ordered by the faid court) deliver in, upon oath, his accounts of his receiverthip to the faid accountant-general, and pay his balances into the bank from time to time, in the name of the faid accountant general, to be placed to the fame account.

VII. And



# 1777.] Anno decimo septimo Georgii III. C. 59.

VII. And it is hereby further enacted by the authority afore- Out of the faid, That out of such the surplus rents and profits of the said surplus rents houses and premises barehing bearing to be faid houses and premises, hereby appropriated for the purpose of re-houses, etc. pairing, supporting, and rebuilding, and insuring the said houses the lord chanand premises, (exclusive of and except as aforesaid) or out of cellor may orwhat the fame, or any part thereof, shall be invested in, such der any sums sum and sums of money, as the lord high chancellor of Great towards re-Britain, or the lord keeper, or lords commissioners for the custody pairing the of the great seal of Great Britain, shall, from time to time, direct lame, and inor appoint, shall be paid and applied in or towards the repairing furing them and supporting of the said rolls houses and promition on in the from tire. and supporting of the faid rolls houses and premises, or in rebuilding the same, or any of them, and in insuring the said houses and premises from fire, in such manner as by any order or orders of the faid lord chancellor, lord keeper, or lords commissioners, to be made for those purposes respectively, shall be directed: and that the said fund, or any part thereof, shall or The said fund may, from time to time, by virtue and in pursuance of any or- to be invested der or orders of the said lord chancellor, lord keeper, or lords in governcommissioners, for that purpose, be placed out and invested in ties, in the government securities, in the name of the said accountant-ge-name of the neral, and placed to the faid account of the rolls estate, and the accountantinterest or dividends thereof be laid out and invested in other placed to the such like securities, in the name of the said accountant-general, account of the and placed to the same account; and so from time to time as rollsestate,etc. often as the interest or dividends of the faid original securities, and fuch new purchased securities, shall amount to a competent fum, in order to accumulate and increase the said fund for the purpose of repairing, supporting, and rebuilding, and insuring from fire, the said houses and premises, and to be sold, applied, and disposed of for those purposes, or any of them, by order of the said lord chancellor, lord keeper, or lords commissioners as aforesaid, from time to time, as there may be occasion.

VIII. And whereas, by reason and in consequence of the said earl of Macclesfield's having sold and disposed of such his beneficial right and interest in the said house of the improved yearly rent of forty-five pounds, in which (in case he had not so sold the same) he would now have had a term of fix years to come, from the making of the leafe thereof on the faid fixth day of January, one thousand seven hundred and seventy-seven, there will not be any rent payable for the faid house for the faid fix years to the master or masters of the rolls for the time being, and in the estimate and valuation of the said earl of Maccleifield's interest in the said houses and premises a deduction is made on account thereof; it is therefore provided and hereby enacted, Out of the in-That out of the interest arising, and which shall arise, from mo-under the said nies placed out in pursuance of the said act of the sourteenth of act 14 Geo. 3. his present Majesty, there shall and may, by virtue of an order the court of or orders of the faid court of chancery, to be made for that pur-chancery may pose, although all the purposes of the said acts of the sourteenth order 451. per and fifteenth years of his present Majesty may not have been, for fix years, or have been deemed by him or them to have been fully fatis- to the receiver

fied of the faid

to vacate

by the earl of

Macclesfield

but the faid

Jan. 6, 1777,

before-men-

tioned.

rents, from

at the most

improved

rents:



house beforementioned.

Anno decimo septimo Georgii III. c. 59.

rents, in lieu fied as aforesaid, be paid the yearly sum of forty-five pounds, by of the improv- half-yearly payments, to the receiver, to to be appointed, of the rents and profits of the said rolls houses and premises, for the time being, for the term of fix years, to be computed from the making of the said last mentioned lease of the fixth day of Fanuary, one thousand seven hundred and seventy-seven, in lieu of, and as a recompence and fatisfaction for, the faid yearly rent of forty five pounds for the said term of six years; and which said yearly sum of forty-five pounds shall be deemed and had and taken as part of the yearly rents and profits of the faid houses and premises of which such receiver shall be appointed, and be applied and disposed of as part of the said yearly rents and profits accordingly, in manner and for the purpoles herein-before mentioned concerning the faid rents and profits. IX. And whereas divers leases have been granted by, or on behalf

of, the said earl of Macclesfield, of several of the said houses and premises, to several persons for terms of years not exceeding the time which the said earl of Macclesfield then had to come in the said houses and premises respectively, at the best and most improved rents that could be had and gotten for the same, and which leases are now sub-This act not fifting; be it therefore further enacted and declared, That the

rights of the several persons claiming under such said last menleases granted tioned leases respectively, or any of them, shall not, by or in consequence of any thing in this act contained, be any ways defeated, impeached, or lessened; and that such several persons, so claiming under the same, shall still be intitled to, and have and enjoy the full fruit and benefit of fuch said several leases re-

spectively, upon and according to the terms thereof; any thing herein contained to the contrary thereof in any wife notwithstanding: but the rents reserved and made payable in and by fuch said several leases respectively, although expressed therein

are to be paid to be reserved and made payable to or for the benefit of the said to the receiver earl of Macclesfield, his executors, administrators, or assigns, or in what manner soever the same may therein be reserved or made payable, which have accrued or become due and payable from

and fince the fixth day of January, one thousand seven hundred and seventy-seven, and which from henceforth shall accrue or become due and payable, shall be paid to the receiver so to be

appointed of the rents and profits of the faid houses and premises, and be applied and disposed of as part of the said rents and profits accordingly, in manner and for the purposes aforesaid; and the said earl of Macclesfield, his executors, administrators, and

affigns, shall have and be intitled to such of the said rents as accrued and became due on or before the faid fixth day of January, one thousand seven hundred and seventy-seven, and are still re-

maining due and unpaid under and by virtue of the faid last mentioned leafes of the said houses and premises, or any of them.

The master of the rolls for the time being

X. Provided always, and it is hereby further enacted and declared, That from and after the expiration, or other sooner determination



484 Proceedings Hamps.

Anno decimo septimo Georgii III. c. 60-65. [1777 out any fee or reward to be paid or given for the same; and to be without without stamps on any of the faid orders or proceedings, or to be had, used, or employed, in or about the same, or any of them.

#### CAP. LX.

An act for inclosing and embellishing the middle part of Hoxton square in the parish of Saint Leonard, Shoreditch, in the county of Middlesex and or extinguishing all right of common in and upon the said square,

#### CAP. LXI.

An act to enable the dean and chapter of the collegiate church of Saint Peter in Westminster, to open a street from the south-end of Long-ditch to the north end of Smith street, and to widen part of Tothill-street, and of Long-ditch aforesaid; and to widen the passage between Orchard-street, and the new intended street, and also to widen Wood street, and to make a more commodious entrance from the Broad Sanctuary into Dean's-yard, within the city and liberty of Westminster.

# CAP. LXII.

An act for the more easy and speedy recovery of small debts, within the feveral parishes of Surfleet, Gosberton, Quadring, Donington, Bicker, Swineshead, Wigtoft, Sutterton, Algarkirk, Fosdike, Kirton, Frampton, Wiberton, and Brothertoft, within the hundred of Kirton, in the parts of Holland, in the county of Lincoln.

#### CAP. LXIII.

An act to explain and amend an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act for pawing, repairing, lighting, and watching the streets, and other publick passages and places, within that part of the parish of Clerkenwell called Saint James's, and removing obfiructions and annoyances therein; for widening the passage from Clerkenwellgreen to the parish church, and for watching and lighting certain highways within the said parish; for repairing the highways in the said parish, and cleanting the faid part of the faid parish; for widening the passage from Clerkenwell-close to Rosoman's Street, and from Rosoman's Street to Saint John-street; and for building a chapel in the said parish.

#### CAP. LXIV.

An act for the better relief and employment of the poor of the parish of Saint Mary Abbotts, Kenfington, in the county of Middlesex; and for other purposes therein mentioned.

### CAP. LXV.

An act for amending and rendering more effectual an act, made in the twenty-fecond year of the reign of King George the Second, intituled, An act for draining and preserving certain fen lands and low grounds in the Several parishes of Sutton, Mepal, Witcham, Chatteris, Doddington, and a place called Byal fen, in the Isle of Ely, and county of Cambridge; and also in the parishes of Somersham and Pidley with Fenton, in the county of Huntingdon, to far as the same relates to the fen lands and low grounds lying in the parishes of Sutton, Mepal, Witcham, Chatteris, and a place called Byalfen, in the Isle of Ely.

Preamble. Act 22 Geo. 2. recited. Recital of the Somersham, etc. act of 32 Geo 2. and the Ramsey, etc. act of 15 Geo. 3. Boundaries of the pretent lands. Commissioners of the former act to be commissioners of this. Meetings of commissioners. Commissioners impowered to lay a furthe



# 1777.] Anno decimo septimo Georgii III. c. 66-70.

tax of 5s an acre for the first 4 years, and 2s. 6d. an acre afterwards. How the Great and Little Holts are to be taxed. Tenants to pay the tax, and deduct the same out of their rents. Who shall pay the taxes for lands under lease. Application of taxes. High-lands not to be taxed. A survey to be taken, and map made. If any dispute shall arise whether any of the lands should be deemed high-lands or not, the same to be determined by two indifferent persons. If the said persons cannot agree, they are to chuse an umpire. In case the proprietor resuses to name a referee, etc. the matter to be settled by the quarter sessions. Tenants for life, etc. impowered to borrow money; and to mortgage their lands for a fecurity. Commissioners impowered to borrow 6,0001. and to assign the rates as a security. Mortgagees to be creditors in equal degree. Application of money borrowed. Mortgages of the rates to be numbered. Securities may be affigned by indorfement. Rates to be charged with monies borrowed, and in default of payment, vested in creditors. No money to be borrowed, unless at a meeting where 15 commissioners are present. Certain clauses of the former act extended to this act. Expences of this act how to be paid. Commissioners impowered to take earth for making banks, etc. and to make a drain from the 20 foot drain to the old 16 foot drain, etc. Surveyors may cause ditches leading to mill-drains to be scourd, etc. if the owners, etc. shall neglect so to do. Commissioners not to do my works to hinder the waters in Cranebrook, etc. from issuing to their outfalls. If the commissioners shall make a drain across any road or droveway, they shall erect proper bridges. How justices to proceed for conviction of offenders. Form of conviction. Saving clause to the corporation of Bedford Level. Limitation of actions. General issue. Treble cofts. Publick act.

### C A P. LXVI.

An act for establishing a nightly watch within the hamlet of Mile end Old Town, in the parish of Saint Dunstan Stepney, otherwise Stebonheath, in the county of Middlesex.

#### C A P. LXVII.

An act for varying and enlarging the powers of an act made in the twelfth year of the reign of his present Majesty, for making a navigable cut or canal from the river Dee, within the liberties of the city of Chester, to or near Middlewich and Nantwich, in the county of Chester.

#### C A P. LXVIII.

An act for rebuilding the bridge over the river Severn, at Maismore, near the city of Gloucester; for raising, widening, and securing Over's Causeway, leading from the said city towards Maismore aforesaid; and for enforcing the proper paving and cleansing of the several streets within the said city, and for removing nuisances and annoyances therefrom, and preventing the like for the future.

#### CAP. LXIX.

An act for making and maintaining a navigable cut or canal from the river Trent, in the lordships of Sawley and Long Eaton, in the county of Derby, to or near Langley Bridge, in the counties of Derby and Nottingham.

#### CAP. LXX.

An act for dividing and inclosing the open common fields, meadows, dales, and common fen, with the parish of Billinghay, in the county of Lincoln; and for draining and preserving the said dales and common fen, and also certain inclosed low lands thereto adjoining in the said parish.



# Anno decimo septimo Georgii III. c. 71-77. [177

#### C A P. LXXI.

An act to enable the feoffees and trustees of an estate in the county, Middlesex, given by Lawrence Sheriff, for the founding and maintaining a school and alms-houses at Rugby, in the county of Warwick, to sell pay of the said estate, or to grant leases thereof, or of any part thereof, an to effectuate the other purposes therein mentioned.

#### C A P. LXXII.

An act to enlarge the term and powers of an act, made in the fecond yes of his pretent Majetty's reign, for repairing, widening, turning, an' shortening the road leading from the turnpike road on Farrard's Common, in the parish of Bradford, through Holt and Melksham, to Homan's Stile, in the parish of Laycock, in the county of Wilts; and so completing a communication between the said road, and the Bath turn pike road, upon Kingsdown Hill in the same county.

#### C A P. LXXIII.

An act for continuing the term, and altering and enlarging the powers, or fo much of an act, made in the twenty fixth year of the reign of his late majesty King George the Second, for repairing certain roads therein mentioned, as relates to the roads from Kighley to Wakefield, and from Kighley to Hallifax, and from Dudley-hill through Beckwith-shaw to Killinghall, and from Beckwith-shaw to the south-west corner of Harrogate Inclosures, in the west riding of the county of York.

#### C A P. LXXIV.

An act for repairing and widening the road from a place called Croucl hill, in the parish of Henfield, to the turnpike road leading from Bright helmstone to Cuckfield, and from the east side of the said turnpike ro to the town of Ditchling, in the county of Sussex.

#### CAP. LXXV.

An act to repeal an act of the thirty-third year of his late Majesty, for amending, widening, and keeping in repair several roads leading from the market house in the town of Kidderminster, in the county of Wor cester; and also to repeal so much of two acts of the tenth of his lar Majesty, and the seventh of his present Majesty, as relate to the roafrom the mitre-oak to a farm-house called Goodness; and from Tittor brook to the hamlet of Wribbenhall, in the said county; and to discontinue the powers of an act of the eighth of his present Majesty, so far relate to the road from the Cross-of-the Hands near Goodness Farm, a place called The Spout; and for more effectually amending, widening and keeping in repair, the several roads described in the first-mentione act; and also several other roads therein mentioned.

### CAP. LXXVI.

An act for continuing the term of two acts passed in the fourth and twenty fourth years of his late majesty King George the Second, for repairing the roads leading from the most southern part of Butt-lane, in the parish of Lawton, in the county palatine of Chester to Lawton, and from their to Henshall's Smithy, upon Cranage Green, in the said county.

#### C A P. LXXVII.

An act to enlarge the term and powers of an act, made in the twenty-fift year of the reign of his late Majetty, for repairing the roads from the town of Leeds, through Harwood, to the fouth-west corner of the inck sures of Harrogate, and from thence in two branches (one through Ripley, over Burage-green, and the other through Knaresborough an Borough



# Anno decimo septimo GEORGII III. c. 78-82.

h-bridge) to Ripon, and from thence to the first rill of water or urse on Hutton-moor, in the county of York, and for repairing ughs or ruts on the said moor; so far as the same relates to the eading from the south west corner of the inclosures of Harrogate gh Knaresborough) to Borough bridge.

### C A P. LXXVIII.

for enlarging the term and continuing the powers of two acts of ament, one passed in the twenty-fifth year of the reign of his late may king George the Second, intituled, An act for repairing the roads the town of Leeds, through Harwood, to the south-west corner of the intes of Harrogate, and from thence in two branches (one through Ripley, Burage green, and the other through Knaresborough and Borough bridge) ipon, and from thence to the sirst rill of water, or watercourse on Hutton, in the county of York; and for repairing the sloughs or ruts on the said moor; he other passed in the twenty-ninth year of his said Majesty's reign, explain and amend the said first-mentioned act; with respect to the d from the town of Leeds, through Harwood, to the south-west correct of the inclosures of Harrogate.

#### C A P. LXXIX.

Et for continuing the term and enlarging the powers of an act made the second year of the reign of his present Majesty, for repairing and lening several roads in the counties of Cornwall and Devon, leading he borough of Saltash, in the county of Cornwall.

#### C A P. LXXX.

Et for enlarging the term and powers of two acts of parliament, one seed in the twenty-fifth year of the reign of his late majesty King eorge the Second, intituled, An act for repairing the roads from the town Leeds, through Harwood, to the south west corner of the inclosures of Harrotte, and from thence in two branches (one through Ripley, over Burage-green, and the other through Knaresborough and Borcugn bridge) to Ripon, and from bence to the first rill of water or watercourse on Hutton-moor, in the county of ork, and for repairing the sloughs or ruts on the said moor; and the other assed in the twenty-ninth year of his said Majesty's reign, to explain no amend the said sirst-mentioned act; with respect to those parts of he said roads from Harrogate, through Ripsey and Ripon, to the north-ast corner of Hutton moor, and from the east end of Kirby-hill-moor to ne town of Ripon aforesaid.

#### C A P. LXXXI.

act for continuing the term and enlarging the powers of an act made in the thirty-first year of the reign of his late Majesty, for repairing the high road leading from Brent Bridge, in the county of Devon, to Gaskinggate, in or near the borough of Plymouth, in the said county.

#### C A P. LXXXII.

act for enlarging the term and powers of three several acts of pariament, for repairing the roads therein mentioned in the county of
Bucks, so far as the said acts relate to the road from the west end of the
town of Wendover to the end of a lane called Oak-lane, next the great
road, called The Oxford Road; and also half a mile of road next from
the river Colne towards Beconssield, in the said county.



# Anno decimo septimo Georgii III. c. 83-89.

#### C A P. LXXXIII.

An act for continuing the term of an act, made in the twenty-nin of the reign of his late Majesty, for repairing and widening t from the top of Harnham-hill, near the city of New Sarum, in the ty of Wilts, through the towns of Blanford Forum and Dorche, a certain intrenchment on Askerwell-hill, in the county of Dorset, a from the index post on the side of Harnham-hill aforesaid to a how called Master Baker's Farm-house, in the said county of Wilts.

### C A P. LXXXIV.

An act for enlarging the term and continuing the powers granted by act passed in the thirtieth year of the reign of his late majesty Ki George the Second, for repairing the road from a place called The den Farmer, near Bagshot, in the county of Surrey, to Hertford-bri hill, in the county of Southampton.

#### CAP. LXXXV.

An act to enlarge the term and powers of two acts, passed in the secon and twenty-second years of his late Majesty's reign, for repairing the second roads therein mentioned, leading into the town of Leominster, i. the county of Hereford.

### C A P. LXXXVI.

An act for continuing the term and altering and enlarging several of powers contained in an act, made in the seventh year of the reign of present Majesty, so far as the same relate to the road from the turn road between the town and county of Poole and Winborn minster, in county of Dorset, to the turnpike road in the parish of Brianston, in the said county of Dorset, which leads from Blandford-forum to Dorchester.

### C A P. LXXXVII.

An act for enlarging the terms and powers of two acts, passed in the fourteenth and twenty-sixth years of his late Majesty's reign, for repairing the road leading from Ealand to the town of Leeds, in the west riding of the county of York.

### C A P. LXXXVIII.

An act for enlarging the term and altering the powers of an act, made the twenty-eighth year of the reign of his late Majesty, for repairing at widening several roads therein mentioned, in the counties of Warwid and Oxford, so far as relates to the road from the Guide post in the village of Adderbury, through Kidlington, to the mileway leading to wards the city of Oxford.

### C A P. LXXXIX.

An act to enlarge the term and powers of an act passed in the twentysixth year of the reign of his late majesty King George the Second, so
repairing and widening the road from The Halfway-house, in the paris
of Lower Crompton, in the county of Dorset, through the towns of
Yeovil, Crewkerne, and Chard, to the east end of the town of Axmiri
ster, in the county of Devon, and several other roads round the town of
Yeovil, in the county of Somerset; and for amending two roads leading
from Vagg Hollow, in the parish of Yeovil; and the road from Char
to Cheeseway-ass; and from White Down to Perry-street, in Charc
and from thence to the turnpike road near Tytherleigh Inn, in the saic
county of Dorset.



# Anno decimo septimo Georgii III. c.90-95.

#### CAP. XC.

It for continuing the term, and altering and enlarging the powers of act, made in the thirty-third year of the reign of his late Majesty, for tring, altering, widening, repairing, and amending the roads from town of Halifax, and from Sowerby-bridge, in the county of York, "odmorden to Burnley and Littleborough, in the county of Lan-

#### C A P. XCI.

It for repairing and widening the road leading from the Maypole, in town of Henfield, over Poynings common, to the town of Bright-Imstone; and from Poynings common aforesaid, to High-cross, in the wisk of Albourne; and from thence, for the distance of two surlongs the road or lane leading towards Twineham; and from the marle-pit ear the bottom of Saddlescombe-hill, in the parish of Newtimber, to the narle-pit fronting Newtimber Broad Lane, in the same parish, in the county of Sussex.

### C A P. XCII.

n act for repealing so much of two acts, made in the eleventh and seventeenth years of the reign of King George the Second, sor repairing several roads leading to and from the town of Derby, in the county of Derby, as relates to a road leading from the gaol-bridge in the said town of Derby, through the town of Ashborne, to Hurdloe-house in the said county, for making more effectual provision for repair of the said road; and tor enabling the trustees to alter part of the course of the present road between Ashborne and the New-inn Turnpike.

### C A P. XCIII.

in act for continuing the term and powers of an act, made in the twentyninth year of the reign of his late Majesty, for repairing and widening
the road from the eighteen mile stone beyond Willoughby-hedge,
through the town of Mere, in the county of Wilts, and through Wincanton, to Charlton houthorn, and from thence to Milborne-port; and
from Willoughby-hedge aforesaid to the west end of Long-lane, in Kilmington; and from Wincanton aforesaid to the Sherborn turnpike
cross-gate on Cattle-hill, and from Wincanton to Sparkford, in the
county of Somerset.

### C A P. XCIV.

in act for repairing and widening the road from Stall-gate Close, at the fouth-west end of the town of Bedford, to the town of Ampthill; and from the said town of Ampthill to Woburn Park, in the county of Bedford; and also the road branching out of the same in Kempston-field to the turnpike road leading from Hitchin to the said town of Bedford.

### C A P. XCV.

n act for continuing the term and altering and enlarging the powers of an act of parliament, made in the twenty-ninth year of the reign of his late Majesty, for repairing and widening several roads leading from and mear the town of Brewton, in the county of Somerset, and for repairing and widening the street from the north or north-east end of Coombettreet, along Patwell-street, in the said town of Brewton, to the south or south-east side of Dymond's River.

# 490 Anno decimo septimo Georgii III. c. 96-102. [11

#### C A P. XCVI.

An act to enlarge the term and powers of an act, passed in the to eighth year of the reign of King George the Second, for repairing widening the several roads therein mentioned, leading to, through from the town of Monmouth.

### C A P. XCVII.

An act for repealing an act, made in the twenty-seventh year of majesty King George the Second, for amending, widening, and k in repair the road leading from Union-point near the town of Ut in the county of Sussex, to Langney bridge in the parish of Westh the said county, and for more effectually repairing the said road also for amending, widening, and keeping in repair the road fro side gate on the Horse-bridge turnpike road, in the parish of Hell to the turnpike road leading from Cross-in-hand to Burwash, in the county.

### C A P. XCVIII.

An act for repairing and widening the road from Combe-bridge, throt Winsley and Bradford, to Staverton-bridge, and to the Trowbridge roon Ashton-common, and also the road from Bradford bridge to Cochill-gate, all in the county of Wilts; and for making effectual provistor maintaining a bridge over the river Avon at Stokeford, in the sa county.

#### C A P. XCIX.

An act for amending and keeping in repair the road from the town. Warminster, in the county of Wilts, to a place where the roads to B and Bristol divide; and from the town of Frome to the town of Beington, in the county of Somerset; and for repealing an act, made in twenty-fifth year of the reign of his late Majesty, relating to the roads; and for repairing the road from or near the Red-lion in the rish of Woolverton, in the said county of Somerset, to Rode-bridge, from the said bridge to the turnpike road leading from Trow-bridge White-trough to Beckington aforesaid.

### CAP. C.

An act for repairing and widening several roads leading to and from towns of Bala and Dolgelley, in the county of Merioneth, and ot roads therein mentioned, in the counties of Montgomery, Denbigh, a Salop.

### CAP. CI.

An act for repealing so much of three acts, made in the eleventh, see teenth, and thirty-third years of the reign of King George the Seco. for repairing several roads leading to and from the town of Derby, the county of Derby, as relates to the road leading from the north to of Cavendish bridge, in the said county of Derby, through the said to of Derby to Brassington, in the said county; and for making more eff tual provision for the repair of the said road.

### CAP. CII.

An act for repairing and widening the road from the town of Skiptor, the turnpike road leading from Leeds to Ripon, near Okbeck, in township of Bilton, with Harrogate, and from thence to communi with the road leading from Knaresborough to Wetherby, in the riding of the county of York.



# 7771 Anno decimo septimo Georgii III. c. 103-110.

#### C A P. CIII.

an. Crookhill, in the parish of Chickrell, to the turnpike road leading dive Bridport to Bridport Harbour, and several other roads therein the county of Dorset.

by T

### CAP. CIV.

cafter

A

A

An a y of Poole called Poole-gate, and for repealing two acts of parliath of the twenty-ninth and thirtieth years of his late Majesty relating he said roads; and also for applying a certain sum of money therein tioned towards paving and repairing a certain street or way within aid town and county.

### CAP. CV.

om the turnpike road in the parish of Asthall, in the county of Oxford, the turnpike road at or near Buckland, in the county of Berks.

#### C A P. CVI.

act for repairing and widening the road from the town of Halifax, in e west riding of the county of York, to the town of Shessield, in the ne riding.

#### C A P. CVII.

es; and for converting the statute labour within the said county into oney; and for applying the same towards repairing the highways thin the same county.

#### C A P. CVIII.

act for amending the road from the fouth east end of the town of oughborough, in the county of Leicester, to Derby-bridge, near The ushes, and from the said bridge, to the south end of Cavendish-bridge, the same county.

#### C A P. CIX.

act for enlarging the term and powers of an act, made in the twentyinth year of the reign of King George the Second, for repairing and
Avidening certain roads leading to and from the city of Lincoln; and for
epairing and widening the roads from the termination of the present
impike road, at the foot of Bracebridge bridge, over the said bridge,
vestward, to the extremity of the county of Lincoln, near a place called
lotter-hill; and from the termination of the present turnpike road at
he toot of Canwick-hill, southward, to a windmill at the top of the said
ill.

### CAP. CX.

act for repairing and widening the road from Gateshead in the county f Durham, to the church-lane near Ryton Lanehead; and from Baroor to the Hexham turnpike road near Disson-bar, in the county of sorthumberland; and also the road from Mickley-bank to Lead-hill or sozier surtees esquire, in the parish of Ryton in the county of Durham.



# Anno decimo septimo Georgii III. c. 111.

# C A P. CXI.

An act for enlarging the term and powers of an act made in the year of the reign of his present Majesty, intituled, An act for repair avidening the road from Tal y Cash Ferry, in the county of Caernary through the towns of Conway, Bangor, and Caernaryon, to the town of bely in the same county; and also for repairing and widening the from Tal y Cash ferry aforesaid, on the Denbighshire side of the Conway, to join the turnpike road between Conway and Saint at a place called Sarn y Mynech; and from the turnpike road be Bangor and Conway, at the village of Aber, over Bwlch y Ddmountain to Tal y Cash ferry aforesaid, and from thence to the to Llanywst in the county of Denbigh.

END of VOLUME XXXI.

